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MEMORANDUM

UPON

Recent Disturbances

in Ceylon.

EDWARD HUGHES & CO., 12, Well Court, Bow Lane, LONDON, E.C.

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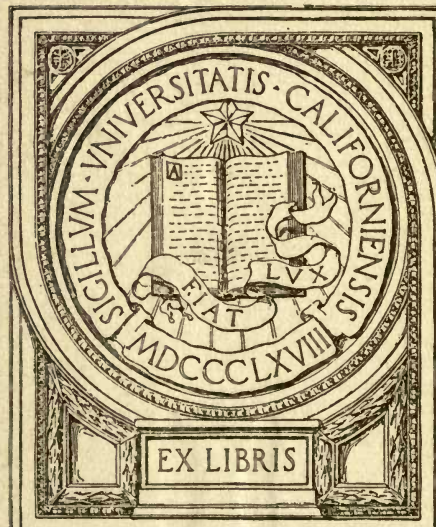

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TEMPLE,

LONDON, E.C.

28th August, 1915.

TO THE RIGHT HONOURABLE A. BONAR LAW,

H. M. Principal Secretary of State for the Colonies,

COLONIAL OFFICE, S.W.

SIR,

I beg to inform you that some weeks ago I was instructed to proceed to London from Ceylon to lay before you for your sympathetic consideration the grave disabilities to which the Buddhist Sinhalese people are being subjected as a result of recent disturbances in Ceylon, more particularly to appeal for an enquiry into the results of the disturbances; for the postponement of pending executions; the withdrawal of Martial Law, and the release of certain Sinhalese of high social position now confined in prison under *lettre de cachet.*

For your information I beg to append a few personal notes.

I beg leave to enclose a complete Memorandum, containing facts which we feel should be brought to your notice without delay.

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I am instructed to emphasize the intense loyalty of the Sinhalese to the British Crown, of which there has been recent evidence, including the desire to raise a local contingent—a desire only frustrated by a novel and well-nigh impossible test of physical endurance.

As some matters in this Memorandum are of a grave and urgent nature, I beg to ask the favour of an interview with yourself, in order that I may lay before you personally the appeal of the loyal Sinhalese of Ceylon.

I have the honour to be, SIR,

Your most obedient humble servant,

(*Signed*) EDWARD W. PERERA.

PERSONAL NOTES.

I am a Sinhalese by nationality, and members of my family have occupied for many years positions of trust and responsibility under the Crown. I am a Member of the Bar, being an Advocate of the Supreme Court of Ceylon, and a Barrister-at-Law of the Middle Temple, practising my profession in Ceylon for the last fifteen years.

I had the privilege, in 1909, of being received by Colonel SEELY, then under-Secretary of State for the Colonies, on behalf of LORD CREWE, then His Majesty's Principal Secretary of State for the Colonies.

I am one of the Counsel in the Gampola Perahera Case, and in the matter of the arrest and application for release of Mr. W. A. DE SILVA.

MEMORANDUM

UPON

Recent Disturbances in Ceylon.

1. Riots between Sinhalese and Muhammadan Coast Moormen broke out in Kandy on the night of May 28th last, the festival of the Birth of Buddha.

The indirect causes of these riots were the following :—

(*a*) The monopoly enjoyed by the Coast Moors[1] from the adjoining continent.

The peasantry in the villages and the working classes in towns get their food stuffs, rice, etc.[2] and all the articles required by them for their daily wants, including small loans at high interest, from the Coast Moormen, who have small bazaars and shops all over Ceylon. Owing to their tendency to raise the price of food stuffs whenever they got a chance or a suitable excuse, a feeling of dislike gradually began to grow up against them. This feeling was confined only to the Sinhalese villagers and working classes, and was unconsciously stimulated by the formation

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1. The Coast Moors are natives and residents of South India and are Muhammadans by religion, who come to Ceylon for the purpose of trade. A portion of the petty trade in foodstuffs of the Colony has been in their hands for some years. The Coast Moors are to be distinguished from the Ceylon Moors, the latter being mostly the descendants of Arab traders who settled in the Island about five or six centuries ago. They have nothing in common with the Coast Moors, except a common religion, form part of the permanent population, and there has always been mutual understanding and religious toleration between them and the Sinhalese Buddhists. Originally they were the only petty traders in the villages, but they were ousted by the Coast Moors. There are 232,927 Ceylon Moors and 33,527 Coast Moors in Ceylon. (Census 1911).

2. Curry stuffs and rice, the staple ood of the Sinhalese peasant, is now imported wholesale from South India by Indian money lenders, called Natu Kotta Chetties, who sell to the Coast Moormen. The country rice grown in Ceylon is not sufficient for local consumption.

by Government of Co-operative Credit Societies throughout the country districts to rescue the villagers from the grip of the usurer. The agriculturist often mortgages his land or his implements to raise money from the Coast Moor Trader to buy seed paddy. [1]

Efforts were also made by leading men [2] to lay before the permanent population the desirability of effectively competing with the Coast Moors so as to reduce the high prices charged by growing locally what is imported, and thus ultimately securing the trade. In the large towns, such as Colombo, there are some Coast Moormen who have become wealthy. Some are tindals or ships' chandlers, and are employers of labour. These labourers are Coast Moor coolies, strong, hardy men, engaged in loading and unloading cargo at the wharves and harbour.

(*b*) In this state of feeling a dispute arose between the Coast Moors and the Buddhist Temple authorities of Wallahagoda Dewala, in Gampola, an ancient capital of the Island, a few miles from Kandy. The Coast Moormen objected to the annual Buddhist Perahera Procession proceeding past their Mosque with elephants, banners, tom-toms, music, etc. The Buddhist authorities offered to conform to any requirements of the Coast Moor Mosque Trustees with regard to the day and hour of the procession, so as not to disturb their worship, but the former claimed the right to conduct the procession without ceasing the music past the Mosque, which was along the Buddhists' "Sacred Way." This they claimed as an essential rite of the Esala Perahera Procession and as a privilege they had exercised from time immemorial, safeguarded by the terms of the Kandyan Convention of 1815. The Coast Moormen declined to allow the Perahera Procession to proceed with music past the Mosque at any time or on any day of the week. The Trustees of other and older Mosques along the same route belonging to Ceylon Moors never objected. The Government Agent of the Central Province, who was

1. The Coast Moor Trader usually arrives from India without any capital, and borrows from the Chetty money-lender in Colombo and starts business in a village or town.

2. The Hon. Mr. K. BALSINGHAM, Second Tamil Member in the Ceylon Legislative Council, was one of the leaders of this movement.

appealed to, interdicted the annual Esala Procession from passing the Coast Moor Mosque with music. Upon this the procession was not held. About 1913, the Temple authorities instituted an action in the District Court of Kandy against the Crown for a declaration of this right. Judgment was given for the Temple, but on appeal the Supreme Court dismissed the action, one of the grounds being that local legislation had modified religious privileges guaranteed to the Kandyan Sinhalese by the British under the Kandyan Convention at the cession of the kingdom in 1815. An appeal to the Privy Council has been filed against the decision of Messrs. Shaw and Sampayo, Justices, and it is now pending. The Judgment apparently encouraged the Coast Moors to prevent Buddhist Perahera Processions from passing their Mosque at Kandy.

2. The origin of the riots was as follows :—

On the night of May 28th (Buddha's birthday)[1] a Buddhist Procession, accompanied by music, with a police permit authorising them to, was proceeding along Castle Hill Street, in Kandy, when it was opposed by Coast Moormen. They objected to the Perahera Procession passing their Mosque.[2] Upon this, Mr. F. T. Coore, a Sinhalese Inspector of Police, directed the procession to turn back. The order was obeyed, though the Buddhists had the police licence, and Buddhist Perahera processions since Kandy was founded had freely traversed its streets.[3] The hooting and derision of the Coast Moors, when the members of the procession retired, provoked the Buddhists to return, and a fight ensued about midnight. The crowd entered the Mosque and did some damage. Some Moors and Sinhalese were injured, as well as the Inspector of Police, Mr. Coore.[4] Several were arrested, including Sinhalese and Coast Moormen.

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1. Wesak day (May full moon) the festival of Buddha's birth was declared a Public Holiday about 1884, when Lord Derby, then Secretary of State for the Colonies, confirmed to the Buddhist Sinhalese the guarantees of religious protection and neutrality contained in the Kandyan Convention of 1815, and other Proclamations. This declaration followed the Buddhist-Catholic riots of 1883.

2. The Judgment of the Supreme Court in the Gampola Perahera Case has encouraged the Coast Moors to attempt to silence the music of Peraheras before their Mosque, even in Kandy.

3. Kandy was founded circ. 1542, and contains the Dalada Maligawa, the "Temple of the Sacred Tooth" of Buddha. It is worshipped by Buddhists from all parts of the world as their holiest relic. Numbers flock to Kandy on Wesak day, and the feast is celebrated throughout the Island.

4. Ceylonese Newspapers, 30th June

3. Saturday, May 29th.

On the following day, the disturbance of the previous night led to bitterness of feeling.[1] The Buddhists of Kandy particularly resented the interruption of their Perahera by the Coast Moormen. They smashed up some of the Moorish bazaars. The Coast Moors shot dead a Sinhalese boy in Colombo Street, Kandy. The murderer was not arrested. This was the first blood shed in the riots. The murder deeply stirred the Buddhist crowd. There was vigorous rioting, but no personal violence was done to anyone, and though the shops in the bazaars were damaged, there was no looting. Sinhalese bazaars were also attacked by Moors.[2] Moorish buildings in Katugastota and Mahaiyawa, suburbs of Kandy, were damaged. The Kandy police took no steps to put down the rioting. Additional police were brought from Colombo.

4. Sunday, May 30th, Kandy.

All Moor bazaars were closed in Kandy. Additional police and the military (Indian Punjabi soldiers) were brought up from Colombo.[3] Leading Sinhalese, Tamil, and Muhammadan residents[4] attempted a reconciliation. They waited in deputation on Mr. Vaughan, Government Agent of the Central Province, and asked for his assistance. After discussion, they were taken to Mr. H. L. Dowbiggin, Inspector-General of Police, Mr. Vaughan, the Government Agent, being present. The interview lasted a considerable time. While the proposals of the Inspector-General of Police were being discussed, the crowd outside in the streets began rioting. The purpose of the leading men was, if possible, to calm and disperse the crowd, with the co-operation of the officials, before it was too late. According to the Press, the crowd was moved by the outrage on a Sinhalese woman in Mahaiyawa.[5] They began to destroy the bazaars of Coast

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1. Numbers of Buddhist pilgrims come from all parts of the Island to worship at the Temple of the Tooth, the Dalada Maligawa, at Kandy on Wesak Day, which is celebrated throughout the Island by the Sinhalese Buddhists. Special trains are run; the principal streets are decorated, and Buddhist Peraheras, attended by crowds, go to the Temples.
2. Ceylonese Newpapers.
3. The troops now stationed in Colombo are Indian Punjabi soldiers, some of whom are Muhammadans. The Punjabis have nothing in common with the Sinhalese.
4. They included Messrs. William Dunuville, Authur Perera (Advocate and a Christian), Savarimuttu (Member of the Municipal Council of Kandy, Tamil).
5. Ceylonese Newspapers.

Moormen. A few people were killed, and several injured. The police and the regulars (Punjabis) were called out. Many arrests were made and the rioters dispersed. There was a lull in Kandy itself, but the disturbance spread to the suburbs and neighbouring villages by some of the rioters running there. The regulars were sent after them in motor-cars to places such as Katugastota, Kadugannawa, Getambe, Wattegama, Kahatapitiya (Gampola), Teldeniya, Talatuoya, Galagedera, Matale, Peradeniya, etc., where they severely dealt with the villagers. In Kandy, Mr. Dassanayake, a clerk in the Government Kachcheri, who was walking along the road in the evening, was stabbed by a Moorman, Omerdeen, who was himself killed by the Sinhalese. At this stage, leading Buddhists began to be arrested who had had nothing to do with the riots—perhaps because they were Buddhists. Among them was Mr. F. B. Walgampahe, Basnayaka Nilame, the Lay Chief of the Ancient Temple of Gadaladeniya (Gampola), circ. 1371. He was taken into custody by Punjabi soldiers. On reaching Kandy he was found to be dead. Gampola is only a few miles from Kandy.

5. **Sunday, May 30th.**

The rioters came to Gampola, where the lawlessness was taken up. Coast Moor bazaars were broken up. While the police and the military followed, rioting spread to the villages all along the Kandy-Colombo line down to about Mirigama (a village in the Western Province, about thirty miles from Colombo), where Coast Moor bazaars were broken into and their property destroyed.

6. **Monday, May 31st.**

Things were quiet in Kandy on Monday. In Colombo a dispute arose at a bazaar where refreshments are served between some Sinhalese workmen of the Government railway yard at Maradana and a Coast Moorman who owned it. The Coast Moorman was assaulted. Complaint was made to the police (the police headquarters are quite close to the Government railway yard), and an attempt to identify and arrest the assailants led to a serious disturbance in the railway yard. When the men left off work they went round to the other workshops in Colombo (including the Government factory), speaking to the men. It

was closing time, about 5 o'clock. Coast Moor bazaars were attacked that evening in the neighbourhood of Maradana and particularly in Borella. This was the origin of the outbreak in Colombo. There was no premeditation, and no organization. Some of the rioters were arrested by the Police Superintendent, Mr. Daniell, but they were released later on. This had a bad effect.

7. Tuesday, June 1st.

On June 1st general looting of Coast Moor bazaars commenced in Colombo. Shops belonging to the Ceylon Moors were not touched. The smashing up of these bazaars was carried on in broad daylight in the streets of the city. This was done under the eyes of the police. Police constables stood by, making no attempt to stop the rioters or arrest them. Street boys and women carried away the loot from the bazaars, that were broken open by the men, who did not themselves carry away the articles. In many streets of the city it was the same. Police officers and constables looked on while the Coast Moormen were being despoiled of their goods. Even at Hultsdorp, where the Courts were sitting, the bazaars were being looted, and no notice of it was taken by the authorities. Hence an idea gained ground that the Government did not wish to interfere.

8. The disturbance developed into fierce and widespread rioting in the course of the day. Meantime the habitual criminals and the rowdies, swelled by a number of the unemployed, consequent on the depression due to the war, took advantage of the situation. They joined the riot and fanned it for loot and pillage. Most of the excesses were committed by them. In a great measure the bazaar rumours that arose are attributable to them, as it was their object that lawlessness should continue.

9. The rioters carried no lethal weapons nor firearms. Crowbars for breaking open the bazaars that had been closed, sticks, brick-bats, and stones were used. There were fierce fights between the Sinhalese rioters and the Moors in different parts of Colombo, in which people were injured. In Wolfendhal, Kuruwe Street, Old Moor Street, New Moor Street, Hill Street, Ferry Street, parts of the city principally tenanted by the Moors,

they fiercely attacked the Sinhalese, looting their bazaars, and molesting Sinhalese passers-by, including respectable and well-to-do citizens. There were a few deaths of both parties and several injured.

10. Late on June 1st the military (Punjabi soldiers), the European and Ceylonese sections of the Town Guard, and the Ceylon Volunteers were called out in Colombo. The Fort and the Pettah were occupied by the military. Some Sinhalese were shot down dead and several were injured.

11. It was felt at the end of the day by the Sinhalese that, having had no protection from the Government, the Coast Moormen would make reprisals on them. The leading Coast Moors employed gangs of men of their own race at the harbour and other places, and they collected in their own quarters of the town. Some Moorish shops retailed gunpowder, shot, and dynamite, etc., firearms were also available to the Coast Moors. The facilities for use of these firearms confirmed the rumours that were spread that the Moors were preparing an armed attack. The Sinhalese firmly believed they were in imminent danger, and the panic rapidly spread.

Extracts from
"The Ceylon Morning Leader," June 3rd, 1915.

Early yesterday morning the residents of Maradana, Borella, Cotta Road, and Welikada, were greatly excited over a report, subsequently found to be unfounded, that a large party of Moors, on mischief bent, were on their way to this quarter of the town. The thoughtless and excitable section of the Sinhalese population —mostly people of the boutique-keeper class, with a fair sprinkling of loafers and habitual street loiterers—started making hurried arrangements to meet the attack, the men arming themselves with knives and crowbars, while the women and children went about seeking shelter wherever they could. There was a general panic. Simultaneously a large party of Sinhalese looters made an attack on the house of a Mr. Abubaker, a leading Moor resident in Cotta Road. The residents, anticipating trouble, had closed up and gone away, leaving the premises in charge of a watcher who, alone and unarmed, could do nothing against a large crowd. The looters worked general havoc in the house, throwing out the furniture, damaging the fixtures, and breaking everything within reach. A police party then came along, and the mob broke out into the street, but would not disperse. The order was then given to fire, the police using buck shot. Two men in the crowd were shot and were removed to the hospital in a dying state, while a shot fired at this moment hit Mr. R. A. Mirando, who had come to his gate to see what was taking place. Mr. Mirando has been staying with his family at Maxwell House, Cotta Road, for some months.

One of the quietest and most peaceable of men, his death, under such unfortunate circumstances, caused great regret in the neighbourhood, where he was much liked and greatly esteemed. But it will be deplored by a much wider circle outside, for he was a man of many activities. The unfortunate man was promptly removed to hospital, but expired on the way.

Extract from

"The Ceylon Morning Leader," June 2nd, 1915.

Kandy, June 1st, 11-40 p.m.

This afternoon, about 2 o'clock, Kandy was in a state of excitement, consequent on the false rumour spread throughout the town that the Maligawa was being attacked by a gang of Moors. Immediately all the houses and boutiques in the town were closed. As is frequent these days, this rumour, too, appeared to be false, and there stands the Maligawa untouched and unharmed.

Mob at Ampitiya.

A little later Mr. W. Stace, Magistrate, who was on the Bench hearing cases, was informed by a lawyer that Ampitiya was being mobbed by Moors. He hurried to near the Queen's Hotel, where he found the military and the police stationed, and they were sent in batches with Superintendent Thornhill to Ampitiya with some men under arrest, there having been a small disturbance there.

Extract from

"The Ceylonese," Thursday, June 3rd, 1915.

New Moor Street and Old Moor Street were, right through the day, the scene of trouble. As no one was allowed by the police to go towards that side, we are unable to give authentic information.

Rumour has it that a number of Sinhalese women were brutally treated.

Wofendahl was another place that saw a lot of bloodshed yesterday. Kuruwe Street and Wolfendhal Road were considered the strongholds of the Moors, and these men gathered there and showed little mercy to any Sinhalese men that came within their clutches.

Extract from

"The Ceylonese," Friday, June 4th, 1915.

Early on Wednesday morning an alarm was raised that the Moors in a body were coming to Mutwal via Kotahena, where they were damaging St. Lucia's Cathedral, and immediately the whole place was astir, and men, young and old, soon gathered in large numbers, armed with various weapons, at different junctions.

This excitement lasted for about a couple of hours, and when the people were tired of waiting for the Moors, and realised that it was a false alarm, they quietly dispersed.

12. Thursday, June 2nd.

On June 2nd the military and the police were in occupation of Colombo. They guarded all approaches to the town.

Extracts from

"The Ceylonese," Friday, June 4th, 1915.

There are nearly two thousand troops of all sections mobilised to meet the present situation—and more are needed. The rioting in the out-stations has been so serious that batches of C.P.R.C., Punjabis and C.L.I., are being dispatched to the different places where the trouble is worse.

Of the casualties we must speak with caution, since official figures are not yet available. As it is, we can only give the most reasonably correct number from the statements made to the press-men by those engaged in the work of quelling the riots. Yesterday we stated that the number of deaths was between fifty and sixty, and the number of those wounded between three and four hundred. The figures have, of course, increased. The wild attempts of the villagers to get through the troops who were stationed at different points on the outskirts of Colombo to stop the crowds coming in, forced the troops to fire on the mobs, *and Maxims were also used.* As far as we have been able to find out, the number of deaths so far is about *a hundred.* This includes eighteen wounded men who died at the General Hospital after admission. The wounded number several hundreds, and even the floors of the hospital are littered with the wounded men. There are nearly five hundred just now at the General Hospital, and only extremely serious cases are now admitted. The other wounded men are being treated by the batches of C.V.M.C. men who are stationed at the more important corners.

Out of the town itself, the place where most trouble occurred was near the two bridges leading to the town, viz., Victoria Bridge and Wellawatte Bridge. At the two latter places the military are very strongly posted, and a couple of Maxim guns, too, have been mounted at each of these places. The situation at Victoria Bridge developed very serious, it is reported, yesterday. A strong force of Sinhalese, numbering about 700, attempted to cross the bridge and come to town to join the rioters here. The military threatened to shoot, and for some time the crowd kept back, but gradually they became bolder and pushed forward. The military had no other alternative but to shoot. Many were wounded. The mob then dispersed, but collected again. Some tried to swim across and were shot in the water.

It is now reported that they are determined to cross the bridge, and for this purpose they are building boats. Up to late yesterday nothing very serious occurred; after the men were shot in the water nothing has happened. Other places where Maxim guns have been mounted are at Kuruwe Street, the junction opposite the Town Hall (commanding a greater part of Sea Street and Wolfendahl), Messenger Street, etc. All these guns are in charge of European units. The Moors are very strong in Old Moor Street, the New Moor Street, Wolfendahl, Sea Street, Peer Saibo's Lane. The Sinhalese this side are on the *qui vive.* Several Sinhalese families have left Hultsdorf and are making their way towards the interior, where the Sinhalese are more numerous.

At Maradana, near the Junction Bridge, a number of European Town Guards were posted on duty with fixed bayonets. Their duty specially was to search all suspicious characters before allowing them to proceed further. Anyone found having in his possession any sort of missile was marched off.

Extracts from

"The Ceylon Morning Leader," Thursday, June 3rd, 1915.

The military were very active yesterday, and all troops were freely commandeering motor-cars and vehicles whenever required. Several hundreds of these were in use by them yesterday, besides all the motor lorries available. At about 6 p.m. there were about 50 motor-cars assembled at the barracks for taking reliefs.

About 1 p.m. yesterday two Sinhalese young men, who had been warned not to loiter about the vicinity of the Crystal Palace and were defiant, were shot down. One was hit in the stomach and the other in the chest. They were removed to the Fort Police in a serious condition.

Extracts from

"The Ceylon Morning Leader," Saturday, June 5th, 1915.

Yesterday, June 4th, a big military scheme was carried out on the instructions of the military and police authorities.

All the members of the Town Guard, Volunteers and Regulars with the police, were collected at the Racquet Court about 1 p.m.

The streets leading to Kotahena and Mutwal were closed to traffic by C.M.R. Guards at the head of the Main Street, and at 2 p.m. the troops, in detachments of about 100 each, marched into Pettah Square from the cross streets in Norris Road and Front Street.

Every house was entered and iron implements sought out and collected in carts. Houses that were closed were forcibly opened and searched by the troops and police.

This search lasted for several hours and about ten cart-loads of knives, bars, hatchets, old swords, hammers, clubs, rice pounders and other lethal or dangerous weapons were removed.

There was a cordon of troops drawn across from Kotahena to Urugodawatte along Armour Street to prevent any disturbance by rowdies.

13. **Wednesday, June 2nd.**

On the morning of June 2nd (Wednesday) the reports of an armed invasion by Coast Moors flew along the suburbs and the more inland villages. Seeing the attitude of the authorities, the idea gained currency that the Government favoured, if it had not actually directed, the looting of the bazaars of Muhammadans, who were a class of people at war with His Majesty. On the same day the habitual criminals and other desperate characters openly came out and directed the rioting and pillaging in the suburbs. They carried sticks and crowbars, but no weapons, and showers of stones and brickbats were thrown.

14. **Wednesday, June 2nd (Colombo).**

Clerks, professional and other educated classes attending the city from the suburbs were unable to proceed or had to go

back owing to the mobs. Rioters were fired on by the police, and wherever this was done they broke up and dispersed. They carried no arms.

15. **Wednesday, June 2nd.**

In the suburbs and the inland villages on June 2nd a report quickly spread that from place to place " the Coast Moors are coming, slaying, and destroying Temples." This was readily believed in by the villagers and others more educated, including Government servants, as those who were seeking to enter Colombo were prevented by the police and military authorities from entering, and no first-hand information was then available as to what was happening in the town.

16. **Wednesday, June 2nd.**

A few instances will show how the report gained currency. It operated to create a panic throughout the country districts. On the morning of June 2nd news spread to the district of Kotte (a township in the suburbs, about six miles from Colombo) that an armed gang of Coast Moormen were coming, murdering and ill-treating the women on the way, and pillaging their bazaars and breaking Buddhist Temples. On the previous day the bazaars of Coast Moormen were looted in the neighbourhood, and a valuable tannery belonging to them destroyed. People running away panic-stricken from the direction of Colombo, and the cries of abject fear in the village roads, contributed to the belief that danger was imminent. Women and children fled to the jungles and hid themselves, where some died of exposure and starvation. The men, old as well as young, turned out with any weapon that came readily to hand, sticks, cudgels, hatchets, old firearms, and swords, to defend their families and houses. They took their stand on the bridge at Kotte, but were persuaded not to proceed further until the Coast Moors came up. After waiting for hours they eventually dispersed to their villages, when they found that there was no immediate danger. Among the people collected by this alarm were Messrs. Peter Rodrigo, Mudaliyar of the Surveyor-General's Department; M. Silva, licensed surveyor and leveller; John Rodrigo, Registrar and Village Headman (Vidane Arachchi); Reginald Wijekoon, headmaster of the C.M.S. Christian Institu-

tion at Kotte. All these gentlemen were subsequently arrested, kept in jail for a considerable time, without bail being allowed, and after protracted inquiry were acquitted on a charge of rioting and unlawful assembly by Mr. A. C. Allnutt, Special Commissioner. This was mainly on the testimony of Miss Lloyd, an English lady missionary of the Kotte C.M.S. Institution, who deposed to the fact that there was genuine panic among the villagers. The muster was due to this cause, and was not an unlawful assembly for rioting.

17. **Wednesday, June 2nd.**

The Sinhalese fishermen of Mutwal, a body of Roman Catholics, on a similar report that the Coast Moors were coming to destroy their Church, took up anything that came to hand, and prepared to defend themselves.

Extract from
"The Ceylonese," Thursday, June 3rd, 1915.

Late last evening, June 2nd, Messrs. Byrde and Allnut, accompanied by Messrs. E. G. Jayawardene and F. R. Senanayake, along with a section of the military, motored to the Kolonnawa-Demettegoda Junction, where a large mob had assembled with the intention of making another dash on the Moorish buildings of that area.

On the advice of Messrs. Senanayake and Jayawardene, and after a few words from the Chairman, the crowd dispersed, but the military section was put on duty at the junction for the night.

Hence it is clear that the sudden gathering of large bodies was due to no organization, but entirely to a sense of fear and panic.

18. The rowdy and the criminal elements in the crowds that collected together committed excesses and sometimes directed the energies of expectant and incensed mobs to looting the Moorish bazaars and ill-treating some of their owners. It was reported that Buddhist Temples had been desecrated and Sinhalese men and women murdered and mutilated by Coast Moors in Colombo, and it was affirmed that the Government had given the villagers authority to punish the Muhammadans, as they were in arms against the King in Turkey. The attitude of the authorities in not checking the looting originally tended to foster and encourage this idea in the minds of a simple peasantry, traditionally loyal to the British Crown. One or two Sinhalese who tried to save Moorish bazaars from being looted were murdered.

19. It will thus be seen these riots were confined to the working and labouring classes of the Sinhalese, and sprang up suddenly in different parts of the country, without any previous organization. As the Governor reported to the Colonial Office (Reuter, June 7th), the outbreak was anti-Moslem, and was not directed against the Government nor against the Europeans. So far is this true that up to date not a single Government official has been attacked nor the military injured.

Extract from
"The Ceylon Morning Leader," June 9th, 1915.

Reuter, by Submarine Telegraph (Copyright).

Received June 8th.

COLONIAL OFFICE STATEMENT.

London, June 7th, 10.30 p.m.

The Colonial Office reports that there has been anti-Moslem rioting in various parts of Ceylon by the Buddhists. Moslem shops in Kandy have been looted. Martial law has been proclaimed in several districts. The Governor reports that the disorder is due to a sudden outbreak of racial and commercial animosity, and is not directed against the European population or the Government. Much Moslem merchandise has been destroyed and numerous murders have been committed. Several rioters have been shot. The latest news is that the situation is improving.

European Town Guards in the execution of their duty were favourably received by the villagers. The riots were "racial," as indicated in the statement by the Government, but only in a limited sense. They were partially religious, a fact which was unfortunately not realised by the Government. The gentry, the educated and middle-classes of the Sinhalese people, whatever their faith, had absolutely no connection nor sympathy with the rioters. Many instances were to be found among the Sinhalese gentry (as among humbler folk) of those who risked their own lives to shield Muhammadans and their wives and families during the fiercest hours of the outbreak.

20. By assertion of authority, though belated, order had been virtually restored by about June 5th. The rioters dispersed at Colombo on June 2nd, and the country districts were quiet by the 5th. Martial law was suddenly proclaimed in the Western Province on June 2nd, and in Sabaragamuwa, Central, Southern, and North-Western Provinces on June 3rd; in the Province of

Uva and North-Central, where there had been no disturbance, on June 17th as a " precautionary measure." It is submitted that the Proclamations of Martial Law were not justified and were illegal.

Proclamation by the Governor.

" In the name of His Majesty, George the Fifth, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith.

Proclamation.

" By His Excellency Sir Robert Chalmers, Knight Commander of the Most Honourable Order of the Bath, Governor and Commander-in-Chief in and over the Island of Ceylon, with the Dependencies thereof.

Robert Chalmers.

" Know Ye that We, the said Governor, do hereby proclaim that the Western Province of the Island of Ceylon is subject to martial law from the date hereof. And We do hereby declare that the maintenance of order and the defence of life and property in the said province are committed to the Officer Commanding the Troops in Ceylon, Brigadier-General H. H. L. Malcolm, C.B., D.S.O., and that he is hereby authorised to take all steps of whatever nature that he may deem necessary for the purpose aforesaid. Given at Kandy in the said Island of Ceylon, this second day of June in the year of our Lord One thousand Nine hundred and Fifteen.

" By His Excellency's command,

" R. E. STUBBS,

" Colonial Secretary.

" God Save the King."

The Proclamation was published in the " Ceylon Government Gazette " and in the English newspapers, but no adequate measures were taken for the grave import of the publication to reach the masses. The traditional mode of publication by beat of tom-tom was not followed in the villages.

Extract from
"The Ceylonese," Friday, June 4th, 1915.

Martial Law.

We should like to point out to the Authorities that the Proclamation of Martial Law is not sufficiently advertised. The masses were ignorant of the new order of things on Wednesday last, and even many belonging to the educated class. We would suggest an issue of handbills in the vernacular stating both the terms of the Proclamation and the full importance of the term "Martial Law." It may be that when the masses realise what they should expect if they persist in acts of lawlessness, they will desist. Beat of tom-tom is the local method of giving notice to the man in the street. It is essential that the present notification should reach even the villager, and that as quickly as possible. The Press is doing what it can, but wider publicity is called for.

21. **Police Notification.**

"Notice is hereby given that all shops and places of business are to be closed to-day at 3 p.m., and no person is to be on the streets between 6 p.m. and 6 a.m. Between the said hours no motor or vehicle will be permitted on the roads unless upon a special permit or for an authorised purpose."

People were forbidden in the streets after 6 p.m., Town Guards and Artillery and Punjabi soldiers, who were ignorant of the language of the people and their ways, and some of whom were Muhammadans, were quartered in different parts of Colombo and in the countryside. Numbers of innocent passers-by, who did not know how to answer a challenge, were shot down dead or bayonetted in the streets of Colombo and throughout the villages. Information has been received that even villagers sleeping in the verandah of their huts have been shot dead without a warning, on the pretext that Martial Law required people to sleep within doors. The village huts are small, and the males usually sleep on the little covered-in space called the verandah abutting his room door.

"Important Notice."

"All persons are hereby warned to keep within doors between the hours of 6 p.m. and 6 a.m. No person will be allowed on the streets between these hours without a permit.

"L. A. Northcote, Captain, D.A.A.G.

"Ceylon Command."

"Martial Law."

Military Passes Essential For Those Out Between 6 p.m. and 6 a.m.

"The Military Authorities wish the public to clearly understand that they should not be on the public thoroughfares between the hours of 6 p.m. and 6 a.m. If, for any reason, they find it necessary to be out between these hours, they must obtain a pass, and such passes are only valid when signed by a Military Officer. As Military Officers are always on duty at the Echelon Barracks, passes can be obtained there.

"Under the Proclamation of Martial Law.

Notice.

"No persons, except Officers and soldiers in uniform, and civilians in possession of a special pass signed by a Military Officer, are permitted to be in the Public Streets between the hours of 7 p.m. and 5 a.m.

"All unauthorised traffic will be stopped between these hours.

"Any person found in the Streets during the prohibited hours, not in possession of a pass, is liable to a fine or imprisonment.

"Passes must be produced on demand.

"In order that all thoroughfares within the town of Colombo may be kept clear for wheeled traffic, foot passengers are required to keep to the pavement or footpath, or, where there is no pavement or footpath, to the side of the road.

"No meetings may be held in the streets.

"No tom-tom or drums may be beaten or crackers let off in any place in towns, except on special permit from the Police Authorities.

"Owners of motor-cars should obtain a pass from Echelon Barracks to enable them to use their cars by day or night.

"L. A. NORTHCOTE, Captain, D.A.A.G.,

"Ceylon Command,

"Colombo, June 6th, 1915.

Cars.

"Every car not in Military use must have a pass, which can be obtained at the Echelon Barracks.

"By Order,

"O. Tonks, Lieut. O.C. Motor Transport.

Notice.

"All passes issued to Civilians to be allowed in the public streets during unauthorised hours, signed otherwise than by the Officer Commanding Troops, are invalid and should be returned.

"L. A. Northcote, Captain,

"D.A.A.G., Ceylon Command,

"Colombo,

"June 9th, 1915."

The Officer Commanding, Brigadier-General H. H. L. Malcolm, instructed his troops not to waste ammunition, but to shoot through the heart any Sinhalese that may be found on the streets, and police authorities gave instructions to their armed constables to shoot down, without a challenge, certain people whose identity was to be gathered from description, if they were found in the streets after hours. Hundreds of Sinhalese peasants were shot down throughout the country, and these orders had not been withdrawn when the writer left Ceylon (July 4th). They have been supplemented in certain particulars, such as to shoot down anyone who dare to laugh at any man in "colours."

In the search for loot, especially in the inland villages, such as Malwana and Veyangoda, Punjabi soldiers entered the houses of unarmed villagers and themselves looted their most valuable belongings, besides, in cases, ill-treating the women.

22. All power is delegated to the military, who govern on the instructions of the police, and of certain officials of the Civil Service, who have misjudged the situation and are endowed with extraordinary powers under colour of Martial Law.

23. The entire Buddhist Sinhalese Press has been suspended since about June 8th, and the editors confined in prison.

The English fortnightly " The People " was suspended about the same time, while the daily newspapers, published in English, are vigorously censored, and private letters indiscriminately opened.

" The People " is conducted by Messrs. E. T. de Silva, barrister-at-law, and Arulanandan, advocate. Among its contributors is the Hon. Mr. K. Balasingham, Tamil Member of Council.

Thousands have been arrested, sometimes whole villages, men, women and boys, on charges of looting and being in possession of stolen property, and no bail allowed. They are immediately tried and in certain instances sentenced to lashing, in addition to sentence of imprisonment, in different parts of the country.

24. Even in the cases of looting, tried by the ordinary police courts of Colombo—some of which are now held in police stations—the procedure is no more than summary. Scarcely any opportunity is offered for retaining a lawyer or even of knowing the charge. Instructions were given by the Police Magistrate of Colombo to his Court officers not to furnish the accused with a copy of the evidence, as they are entitled to under the Law of the Colony.[1] So even if the convicted man wishes to appeal from the order of the Magistrate he is crippled by his ignorance of the number and other particulars of the proceedings brought against him.

25. Mr. J. G. Fraser, Government Agent, Western Province, was appointed Commissioner by the Government to enquire into the riots about June 9th. In addition, Special Commissioners entrusted with extraordinary punitive powers by the Officer Commanding have issued Proclamations under colour of Martial Law, threatening under severe penalties failure to give information respecting the riots, with the result that informers have sprung up with their attendant evils, both in towns

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1. S. 164 Criminal Proc: Code, Ord. 15 of 1898. "When the accused has been committed for trial he shall, if he desires it at a reasonable time before the trial, be furnished by the Officer in Charge with a copy of the record or of any part thereof on payment of six cents for a hundred words."

and villages. Police underlings, who now have a free hand, levy blackmail from the villagers under threat of prosecution. In certain villages people are fleeing from their cottages for fear of being unjustly charged and taken up.

Proclamation.

" 1. All persons are hereby required to give all assistance and information to the Military and Civil Authorities in the Municipality of Colombo with regard to the recent rioting and all matters connected therewith.

" 2. All persons refusing or neglecting to obey any order given to them by the said Military and Civil Authorities or who may be found carrying firearms will be liable to be shot.

" 3. Any person harbouring any rioter or suppressing any evidence with regard to the offenders in the recent riots or spreading any false report will be treated as an aider and abettor in the said riots, and will be liable to be shot.

" 4. Any person in possession of any firearms or dangerous weapon is required to surrender the same forthwith at the nearest Police Station. Any person neglecting to obey this order will be liable to a penalty. (This order does not extend to any member of the European Community or any person entitled to bear arms as a member of a duly enrolled Corps.)

" 5. Any person found in possession of any explosives, gunpowder or ammunition, without a licence from the Proper Authority, will be liable to punishment.

" By Order,

"R. W. Byrde, Special Commissioner.

" The Municipal Office,
" Colombo, June 10th, 1915."

26. Proclamations by the same Special Commissioners have been issued directing, under pain of being shot, the return of firearms and all instruments of cutting, under which the villagers have been deprived of all their implements, including the hatchets, rice-pounders and knives for domestic and household use.

27. The Special Commissioners under colour of Martial Law are levying forced contributions to compensate the Moors from all well-to-do Sinhalese, although they are respected members of society, who had in no way been connected with the rioting. To illustrate the system pursued in the villages, the Special Commissioner, who is often the Government Agent of the district, has the damages sustained by the Moors in a particular division first assessed quite arbitrarily and at the highest valuation set upon their loss by the Moors themselves. Then there is a house-to-house visitation by the Headmen or police, who force out of the villagers whatever sums they can extract. In case of failure to pay, the people are arrested and threatened with shooting; on promising to pay they are compelled to sign a bond, and the title-deeds of their lands are extracted from them. In the district of Madampe, Mr. Edward Batuwantudawe, Superintendent of a cocoanut estate, was summoned by the Special Commissioner, Mr. C. R. Cumberland, Government Agent of the North-Western Province, and demand made that he should pay down or sign an undertaking to pay Rs.5,000 as compensation to the Moors, on the ground that he was a rich Sinhalese estate owner of the district. Mr. Batuwantudawe pleaded that he was only a paid servant, and that it was impossible for him to pay the amount. Mr. Cumberland was seated in his office in military uniform, with armed Punjabi soldiers standing by him. He threatened to have Mr. Batuwantudawe shot down if he declined to pay, and put his hand to his waist where the revolver is carried. To save his life, Mr. Batuwantudawe was constrained to sign the bond undertaking to pay the amount, and the villagers, who attended at Mr. Cumberland's command, were similarly coerced. This is not a solitary instance, but the general method of exaction followed. Even Mr. J. G. Fraser (Special Commissioner), Government Agent of the Western Province and member of the Executive Council, the writer is instructed, levied contributions from well-to-do Sinhalese, attended by armed Punjabi soldiers.

28. In the City of Colombo, Mr. R. W. Byrde, Mayor (Special Commissioner), announced in the Municipal Council that he was about to make a proposal under Martial Law, which no member would be at liberty to discuss, but if any member did

not wish to be present, he could leave the room. The proposal was that wealthy Sinhalese of different wards would have to pay a levy in proportion to their wealth as compensation to the Moormen.

There was a feeling of strong opposition to a forced levy on the Sinhalese alone, though it was freely made known to the authorities that wealthy Sinhalese gentlemen would liberally contribute if a public subscription were opened by the Mayor. In these circumstances, Mr. Byrde summoned nearly a hundred gentlemen of the highest standing, wealth, and position in the community, all Sinhalese, and while directing them to contribute liberally to the fund, he stated that it was the policy of the Government to levy contributions on all Sinhalese " per capita," and on their property, to be given to the Moors, exemptions to be considered hereafter; and he would undertake, when the special tax was raised on the Sinhalese, that the amount contributed would be deducted from the imposition. The gentlemen so summoned willingly contributed liberal sums to relieve the distress of the Moors, though exception was taken to any forced levy and that it should be confined to the Sinhalese alone. Among those summoned were : Messrs. James Pieris, barrister-at-law; E. J. Samarawickrame, barrister-at-law; Donald Obeyesekere, barrister-at-law; F. R. Senanayake, barrister-at-law and member of the Municipal Council, Colombo; and L. W. A. De Soysa.

The attention of Mr. A. C. Allnutt, Excise Commissioner of Ceylon and Special Commissioner, was called to the illegality of the forced exactions, but he declared to a barrister that it was quite legal under Martial Law, and instanced the action of the Germans in Belgium.

29. The instances cited are typical. These contributions are exacted wholesale from men, women and children in all parts of the country, under severe penalties. It is submitted that these forced levies are unjust in their incidence, being the penalisation of all Sinhalese, however innocent and eminent they might be, for the delinquencies of the guilty of their race.

NOTICE ISSUED BY SPECIAL COMMISSIONERS.

"Coat of Arms."

Notice.

"Whereas I, the undersigned, have been appointed under the hand of the Officer Commanding the Troops, Special Commissioner for the purpose of inquiring into the recent riots, assessing damage, and levying compensation for such damage, I do hereby give notice, in the name of the Military Authorities, to all persons whomsoever, that they are required to give every assistance, information, etc., to the Military and Civil Authorities; that persons not obeying orders or carrying firearms will be liable to be shot at sight; and that any persons harbouring rioters, or suppressing evidence with regard to the offenders in the recent disturbances, or spreading false reports, will be treated as aiders and abettors, and will be liable to similar penalties as those persons who have committed such acts.

"2. All persons are further warned that they are hereby required to remain in their respective villages throughout the month of June, or during such further period as the Special Commissioners may direct. Persons found in possession of looted property, and persons proved to have destroyed looted property will be dealt with as rioters.

"3. All looted property is to be forthwith restored to the Village Headmen. All Headmen will answer for the good behaviour of their villagers, and shall assist in obtaining the conviction of guilty persons.

"4. All persons are required to remain in their houses between the hours of 7 p.m. and 5 a.m. The beating of tom-toms and the holding of meetings is rigorously forbidden. All persons, other than Europeans, in the possession of firearms or other dangerous weapons or explosives shall surrender them forthwith to the Village Headman, who shall produce them without delay before the Special Commissioner, or Revenue, Judicial or Police Officers.

"All such persons found in possession of firearms, dangerous weapons or explosives, after this date, will be liable to severe penalties.

" 5. All Moormen are placed under the special protection of the Headmen, who will be regarded as personal hostages for their maintenance and security.

" 6. All Moormen who have suffered damage should be ready with detailed claims for compensation.

" 7. All householders in every village visited by the Commissioner, and in all such other villages to which special notices may be sent, are required to present themselves before the Commissioner immediately on his arrival at the village, or at such other place as they may receive orders to attend.

" R. A. G. Festing,

" Assistant Government Agent, Kalutara, and

" Special Commissioner. June 10th, 1915.

" H. C. Cottle,

" Government Printer,

" Colombo, Ceylon."

"COAT OF ARMS."

Notification.

(Translation from the Sinhalese.)

" All Sinhalese living within the divisions of Police Headmen are hereby given notice that they must answer for all damages and loss done to the property, etc., of the Moormen in the rioting which took place between June 2nd and 5th, 1915.

" That damage has been assessed at Rs.
Therefore if the Sinhalese living in the aforesaid divisions were to pay the said sum into the Galle Kachcheri within fifteen days of this date, no cases will be instituted against those who were not leaders of the riots, nor had looted, nor were in possession of looted property.

" But if the Sinhalese in the different divisions by binding themselves as Trustees (or members) do not procure and pay the amount of the damage assessed, the Government will take such action as is needed to have such sum

recovered. Now, if such a tax came to be levied, in addition to the amount of the damage, the cost of collection and the expenses of the Police, who will be quartered in the villages till the recovery of the tax, will be recovered from the Sinhalese people.

"Moreover, if there are witnesses to say that they joined the rioters, cases will be instituted against them (i.e., in the event of non-payment.)

"R. B. HELLINGS,

"Special Commissioner and Government Agent,

"Southern Province.

"June 22nd, 1915, Galle.

"H. C. Cottle, Government Printer,

"Colombo, Ceylon."

30. The houses of the most respected and leading Sinhalese citizens have been searched without legal process and without any charge being laid against them, under the plea of Martial Law. These searches were conducted by European Town Guards, accompanied by Indian Punjabi soldiers and by police. The houses were visited in several instances when the master was away and the ladies alone were present. The ladies were not treated with civility or consideration.

31. The house of Mr. D. S. Senanayake, a prominent Sinhalese landowner and country gentleman, the son of the late Don Spater Senanayake, Padikara Mudaliyar of the Ceylon Government, was searched on June 12th last. He was absent from the house, and his wife (a member of the Dunuville family and a daughter of the late Mr. R. Dunuville, some time District Judge of Matara, and late Secretary of the Municipal Council of Colombo) was dressing in her bedroom upstairs, when an armed Punjabi soldier threw her door open. Greatly alarmed, she was rushing out of the apartment when the Punjabi aimed his rifle and threatened to shoot her. Having known how Sinhalese were shot down by the Punjabi soldiers for running away when challenged, she had the presence of mind to stop.

In other places, Sinhalese ladies, including unmarried girls, were collected together and made to stand in a row under the charge of a soldier, or of the police, while the house was being searched.

32. Among others, the houses of the following gentlemen were searched in June last :—

1. Dr. W. Arthur de Silva, J.P., some time veterinary surgeon to the Colombo Municipal Council, and a wealthy landowner. His ability and resources were for many years at the disposal of the Colony in the furtherance of social and philanthropic work. He was a member of the deputation that waited on the Secretary of State for the Colonies a few years ago, for an inquiry into the excise policy of the Local Government, and for a reduction of arrack and toddy taverns.

2. Mr. John de Silva, a Proctor of the Supreme Court, previously a master in Government schools, an Oriental scholar and the most prominent Sinhalese dramatic writer. His plays for many years have drawn large houses, which included the Chief Justice, Sir Alexander Wood-Renton, and His Excellency Sir Robert Chalmers. When the war broke out he gave two benefit performances in aid of the Prince of Wales' Fund and the Indian Soldiers' Fund. He published Sinhalese odes on the death of Queen Victoria and on the accession of King Edward VII. As armed Town Guardsmen entered his house to search his papers, one of them threatened to shoot him if he moved. Mr. Silva is about 59 years of age.

3. Mr. D. B. Jayatilaka, B.A., Jesus College, Oxford, barrister-at-law of Lincoln's Inn, and an advocate of the Supreme Court, was for many years headmaster of Ananda College and member of the Committee of Education. He is editor of the English newspaper, "The Buddhist," the organ of the Buddhists of Ceylon. He is an Oriental scholar, and a member of the Council of the Royal Asiatic Society of Ceylon. He formed a member of the deputation to the Secretary of State for the Colonies to secure the reform of the excise policy of the Local Government, notably with regard to the increase of arrack and toddy taverns.

4. Mr. L. W. A. de Soysa is a son of the late Charles de Soysa, Esq., J.P., and of Lady Catherine de Soysa. He officiated as second Sinhalese member of the Legislative Council of Ceylon during the absence of his brother, the Hon. Mr. A. J. R. de Soysa, in England. He takes a practical interest in the encouragement of agriculture in the Colony, besides being a large subscriber to public charities, like the rest of the members of the de Soysa family.

5. Mr. F. R. Senanayake, son of the late Don Spater Senanayake, Padikara Mudaliyar to the Ceylon Government, is a B.A., LL.B. of Downing College, Cambridge, a barrister-at-law, an advocate of the Supreme Court of Ceylon, and an elected member of the Municipal Council of Colombo. He paid Rs.5,000 (£333 6s. 8d.) for the fund to compensate the Moors a few days before he was arrested. He is an active temperance worker.

6. Mr. R. L. Pereira is a son of J. E. R. Pereira, Esq., J.P., Proctor of the Supreme Court, some time officiating Police Magistrate of Colombo, and a nephew of the late Hon. Mr. Walter Pereira, Puisne Judge of the Supreme Court. Mr. Walter Pereira is an advocate of the Supreme Court of Ceylon, with a leading practice.

7. Mr. Charles Batuvantudawe is a son of the late distinguished Pundit Batuvantudawe, examiner in Oriental languages for the Civil Service, and a joint translator of the Mahawamsa into Sinhalese for the Ceylon Government. Mr. Charles Batuvantudawe is a barrister-at-law of Gray's Inn, and an advocate in active practice, and is esteemed and respected by all classes of the community. He is a keen temperance worker, and in the days of the rioting his aid was specially asked for by Mr. R. W. Byrde, and was readily extended, in speaking to the people.

8. Mr. D. R. Wijewardene, B.A., LL.B., St. Peter's College, Cambridge, barrister-at-law of the Inner Temple, is the secretary of the Colombo Bar Library, and the hon. secretary of the Ceylon Social Service League, of which the chairman is Sir P. Arunachalam. He is a Lieutenant in the Ceylon Light Infantry Volunteers. He was a member of the deputation that met the Secretary of State

for the Colonies on the excise policy of the Ceylon Government. He is a son of the late Don Philip Wijewardene, Muhandiram of Sedawatte.

9. Mr. E. T. de Silva is a barrister-at-law of Gray's Inn and an advocate of the Supreme Court. He is an extensive landowner and the editor of the English Journal, "The People," which, among other measures, advocates temperance reform.

10. Mr. C. A. Hewavitarane, M.R.C.S. Eng., L.R.C.P. London, is a son of the late Don Carolis Hewavitarane, Mudaliyar, founder of the firm of Don Carolis & Sons, furnishers to Queen's House. He is a winner of the Ceylon Government University Scholarship, and is warmly associated with temperance work.

11. Don Philip Wijewardene, Muhandiram of Sedawatte. He is one of the wealthiest landowners in the Island. Rioters have damaged his houses let to Moorish traders to the extent of several thousand rupees. He is a director of the English newspaper, "The Ceylonese," and is associated with the temperance movement.

12. Mr. Martinua Perera is an electrical engineer, for many years employed at the Surveyor-General's office till he retired. He is a temperance worker and speaker, and is a well-known man in the community.

13. Mr. Arthur Dias, a wealthy landowner of Penadura, and the most prominent leader of the temperance movement in his district. His subscriptions to public charities, as well as those of other members of his family, have been liberal. His mother subscribed Rs.25,000 (£1,666 13s. 4d.) to the King Edward VII. Memorial Fund for the erection of the Anti-Tuberculosis Institute.

Not the slightest opposition was shown in the search of any of these houses by the military, though the search was absolute and thorough and occupied several hours. Mr. R. L. Pereira's house was searched for nearly six hours, when every private letter and scrap of paper were read and minutely examined in his absence.

33. Within an interval of about twelve days, on June 21st last, at early dawn, the following leading gentlemen, among others, were arrested by armed Town Guards accompanied by police, and committed to prison :—

Messrs. D. B. Jayatilaka, John de Silva, F. R. Senanayake, D. C. Senanayake, D. S. Senanayake (brothers), Charles Batuvantudawe, W. H. W. Perera (Proctor), A. Reginald Fernando, manager of the " Morning Leader " newspaper, and editor of the Sinhalese " Lakmina." Also Drs. W. A. de Silva and C. A. Hewavitarane. Mr. Arthur Dias was arrested some days previously.

34. On enquiring on what charge he was arrested, Mr. D. B. Jayatilaka was only told by the Town Guard, who took him into custody, that he was arrested under Martial Law.

This is typical of the other cases. Mr. Charles Batuvantudawe, when he sought to put a few things into his hand-bag, was told by the Town Guard who took him that it was unnecessary, as he was going only for half an hour to the Police Superintendent, Mr. Daniell, and he would be brought back. All these gentlemen were taken out of their beds between 4 and 5 in the morning by European Town Guards, hurried into motor-cars escorted by armed Punjabi soldiers and police, and cast into the common prison at Welikada in Colombo, and have not yet (July 4th) been produced before any court of law. All access to them was at first denied, and they were confined in prison, served with prison fare, regulated as a penal dietary for the convicts drawn from the lowest classes of the population. The latrine arrangements, which are for the dry-earth system, were without the least regard for sanitation—three buckets served for several hundred convicts. This, the writer understands, has now been modified. An application to provide their meals from their homes was originally refused by the Inspector-General of Prisons, though allowed later. The writer is informed that the Special Commissioner, Mr. R. W. Byrde, has by questions in prison sought to secure evidence and information from the arrested gentlemen.

(N.B.—The conviction and incarceration of thousands charged with looting have helped to fill the jails to overflowing, and, as might have been expected, disease has sometimes broken out.)

35. No charge has yet been formulated against these gentlemen, and there is no assurance that they will not be kept indefinitely in prison without a charge and without a trial. The delay in formulating charges affords ground for the supposition that the search of houses did not result in the discovery of criminating material, while their continued incarceration exposes them to the possible danger of the fabrication of false evidence against them.

36. In the important provincial centres and village townships, as in the countryside, the same thing of wholesale arrests of leading men and keeping them in jail without bail being allowed is continued throughout the Island.

37. An application was made to the Supreme Court for a writ of " Habeas Corpus " on the prison authorities to produce Mr. W. A. de Silva. Sir Alex. Wood-Renton, Chief Justice, issued a notice, and the Attorney-General, Mr. Anton Bertram, appearing on behalf of the Officer Commanding, the Brigadier-General, H. H. L. Malcolm, justified the arrest and detention on the ground of Martial Law, though the averments of the applicant's affidavit, that the rioting had ceased and tranquility prevailed in the country, was not denied in the affidavit of the General which acknowledged the arrest under Martial Law. Instead, the Attorney-General stated that he had instructions from the Government to say that the country was not quiet, and the application was refused by the Chief Justice.

Extract from

" The Times of Ceylon, June, 29th, 1915.

Justification for Martial Law.

At the Appeal Court yesterday, before the Chief Justice, an application was made for a Writ of *Habeas Corpus* for the production of the body of Mr. Wilmot Arthur de Silva, J.P.

Mr. A. St. V. Jayewardene, with Messrs. Allan Drieberg and E. J. Samarawickreme, appeared in support. The Hon. Mr. Anton Bertram, Attorney-General, with Mr. B. W. Bawa, K.C., Acting Solicitor-General, appeared *contra.*

The petition is by Mr. W. Lionel de Silva, nephew of Mr. Wilmot A. de Silva. It is stated in the petition that on June 21st, 1915, Mr. Wilmot A. de Silva was arrested and taken into custody and removed to the prison at Welikade, and has since been, and is

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1. A. P. Goometilleke, Harry Dias, P. C. Dias (Panadura), F. H. Dias Bandaranayaka (Heneratgoda), Simon Senanayake.

now, in the custody of the superintendent of the said prison. No charge has been made against him. At the date of the arrest peace and tranquility prevailed in the island, and all the courts in the island were sitting and administering justice without any interruption or hindrance; such peace and tranquility has prevailed ever since.

The Attorney-General submitted that it was a sound proposition that when active rebellion or active rioting ceased persons must be tried by courts established by legislation. The fact that courts of law were sitting had nothing to do with the situation. There was no question that Martial Law could exist, and ordinary Law Courts continue their sitting. The Governor had the prerogative to declare Martial Law at a time of emergency. The Empire was at war, and special measures had been taken throughout the Empire. Its forces were concentrated, and any disturbance of a dangerous nature must affect the nation as a whole. The present state of affairs did not justify the withdrawal of Martial Law.

Mr. Jayewardene contended that the fact that war was raging in Europe, Asia and Africa was no ground for saying that it was raging in Ceylon. To quote the Governor's own despatch the commotion was caused by racial and religious animosity. The authorities were armed, and sufficiently armed by the whole of the Colony being made subject to the Army Act. Unless the learned Attorney-General could show that war was actually raging in Ceylon, no reason could be shown for the introduction of Martial Law. If the disturbance has ceased the necessity for Martial Law must also cease. There was no justification for the arrest of Mr. de Silva. (*See Appendix A.*)

38. The writer was instructed to bring the matter up by way of special leave before the Privy Council. Before leaving Ceylon he informed the Attorney-General of the fact. Shortly after the writer's arrival in England (on July 21st) a cablegram was received by the solicitor in the case, Mr. Cayley, 30, Bedford Row, W.C., in reply to an enquiry by him, that Mr. W. A. de Silva had been released on a bond. There is no information that the other gentlemen, whose cases are similar to Mr. Silva's, have been released. The decision sought to be obtained from the Courts in England in the matter of Mr. Silva would have affected the case of the others as well, and the writer was instructed to obtain a decision on the questions of law involved, including the legality of the arrests. While counsel was being instructed in regard to the application, information was received of the release of Mr. Silva.

39. During the time of the rioting the ordinary tribunals were sitting without any hindrance or obstruction throughout the country, and are continuing to do so. They were later strengthened by the appointment of additional judges and magis-

trates in every part of the Colony. Further, Special Commissioners, with powers to enquire into the causes of the riots and to assess damages, began to try cases summarily under Martial Law under the authority of the General. In these circumstances it was suddenly announced about the middle of June that Courts-Martial would try charges of looting and rioting.

Extract from
"The Ceylon Morning Leader," June 12th, 1915.

Additional District Judges.

His Excellency the Governor appointed the following gentlemen to be, in addition to their own duties, additional District Judges for the Judicial Districts noted against their names, with effect from June 1st, 1915 :—

Mr. A. C. Allnutt, Colombo; Mr. J. Conroy, Colombo; Mr. C. V. Brayne, Colombo; Mr. H. M. M. Moore, Colombo; Mr. R. G. Saunders, Colombo; Mr. E. Rodrigo, Colombo; Mr. N. J. Luddington, Kalutara; Mr. W. A. Weerakoon, Negombo; Mr. V. P. Redlich, Colombo and Negombo; Mr. N. E. Ernst, Colombo, Kegalla, and Ratnapura; Mr. W. T. Stace, Kandy; Mr. J. R. Walters, Kandy and Nuwara Eliya; Mr. W. J. L. Rogerson, Kandy; Mr. H. J. V. Ekanayake, Galle; Mr. C. L Wickremesinghe, Kurunegala; Mr. V. Coomaraswamy, Puttalam.

Temporary Appointments.

His Excellency the Governor has been pleased to make the following temporary appointments :—

Mr. H. O. Fox, to be in addition to his own duties, Additional Government Agent, Western Province, from June 8th.

Messrs. M. T. Archibald, T. G. Willett and C. H. Collins to be additional Police Magistrates for the Western, Central, Southern, North-Western, and Sabaragamuwa Provinces, from June 5th.

Messrs. J. E. de Zoysa and T. K. Carron, to be Additional Police Magistrates, Negombo, from June 5th.

Mr. John E. de Silva to be, in addition to his own duties, Additional District Judge, Kalutara, from June 5th.

Messrs. J. V. G. Jayawardene and G. J. Pickthall, to be Justices of the Peace for the district of Kalutara, and Unofficial Police Magistrates for the Judicial District of Kalutara, from June 7th.

Mr. Oswald Balean to be a Justice of the Peace for the District of Kandy, and an Unofficial Police Magistrate for the Judicial District of Kandy, from June 3rd.

Mr. G. F. Farquharson, to be a Justice of the Peace for the District of Kandy, and an Unofficial Police Magistrate for the Judicial District of Kandy, from June 5th.

Mr. R. H. Brodie, to be a Justice of the Peace for the District of Kandy, and an Unofficial Police Magistrate for the Judicial District of Kandy, from June 5th.

Mr. J. G. Hodgson, to be a Justice of the Peace for the District of Nuwara, Eliya, Hatton, and an Unofficial Police Magistrate for the Judicial District of Nuwara, Eliya, Hatton, from June 1st.

Mr. S. P. Blackmore, to be a Justice of the Peace and an Unofficial Police Magistrate for the Judicial District of Nuwara, Eliya, Hatton, from June 5th.

Messrs. H. F. Laycock and E. W. Morris, to be Justices of the Peace for the District of Nuwara, Eliya, Hatton, and Unofficial Police Magistrates for the Judicial District of Nuwara Eliya, Hatton, from June 7th.

Messrs. H. S. Popham, N. G. Campbell, and H. J. Temple, to be Justices of the Peace for the District of Nuwara, Eliya, Hatton, and Unofficial Police Magistrates for the Judicial District of Nuwara, Eliya, Hatton, from June 8th.

Messrs. D. A. Miles and Robert Wilson, to be Justices of the Peace for the District of Matale, and Unofficial Police Magistrates for the Judicial District of Matale, from June 7th.

Mr. G. P. Keuneman, to be Additional Police Magistrate, Matara, from June 5th.

Mr. E. T. Dyson, to be, in addition to his own duties, Additional District Judge, Kurunegala, from June 1st.

Mr. A. N. Hutt to be in addition to his own duties, Additional District Judge and Police Magistrate, Kegalla District, and Additional District Judge and Police Magistrate, Kurunegala District, from June 8th.

Mr. Edmund Lingard Walker to be a Justice of the Peace for the District of Kurunegala, and an Unofficial Police Magistrate for the Judicial District of Kurunegala, from June 1st.

Messrs. R. A. Powell, E. J. Peries, and F. W. Sproule, to be Justices of the Peace for the District of Kurunegala, and Unofficial Police Magistrates for the Judicial District of Kurunegala, from June 7th.

Mr. Victor Cooke, to be additional Police Magistrate, Chilaw and Marawila, from June 9th.

Mr. A. L. Crossman, to be, in addition to his own duties, Additional District Judge, and Police Magistrate, Kegalla, from June 6th.

Mr. A. J. Mackessack, to be a Justice of the Peace for the Sabaragamuwa, Central and North Western Provinces, and an Unofficial Police Magistrate for the Judicial Districts of the said Provinces, from June 3rd.

Mr. G. W. Greenshields, to be a Justice of the Peace for the district of Ratnapura and an Unofficial Police Magistrate for the Judicial District of Ratnapura from June 7th.

Mr. D. M. Seneviratna, to be a Justice of the Peace for the District of Kegalla, and an Unofficial Police Magistrate for the Judicial District of Kegalla, from June 4th.

Extract from

"The Ceylon Morning Leader," June 26th, 1915.

Special Commissioners.

The following officers have been appointed by the Hon. the Officer Commanding the Troops in Ceylon to be Special Commissioners for the districts given below :—

Western Province.

The Hon. Mr. J. G. Fraser, C.M.G., Messrs. C. V. Brayne, H. M. M. Moore, T. G. Willett, N. Izat, W. L. Murphy.

Kalutara District.

Mr. R. A. G. Festing.

Central Province.

The Hon. Mr. C. S. Vaughan, Messrs. M. Stevenson, G. S. Wodeman, J. Devane.

Nuwara Ellya District.

Messrs. A. W. Seymour and T. A. Hodson.

Southern Province.

The Hon. Mr. R. B. Hellings, Messrs. L. J. B. Turner and M. T. Archibald.

Matara District.

Mr. G. F. R. Browning.

North-Western Province.

Messrs. C. R. Cumberland and C. H. Collins.

Puttalam-Chilaw District.

Mr. H. W. Codrington.

Province of Sabaragamuwa.

Messrs. R. N. Thaine, C. F. Forrest, and B. G. de Glanville.

Kegalla District.

Mr. H. A. Burden.

Colombo Municipality and District.

Messrs. R. W. Byrde and A. C. Allnutt.

Their functions will be :—

(*a*) To inquire into all crimes and offences connected with the recent riots and disturbances in the towns and villages of the district for which they are appointed.

(*b*) To inquire into and assess all damage to property caused by rioters and others in the towns and villages in their district.

(*c*) To arrange for the payment of compensation for such damage, and for that purpose to secure contributions from the inhabitants of the said towns and villages.

All Special Commissioners are Additional District Judges and Police Magistrates for their Provinces or Districts.

L. A. NORTHCOTE, Captain,
Deputy Assistant Adjutant-General.

Colombo, June 23rd, 1915.

"Government Gazette," June 25th.

Temporary Appointments.

His Excellency the Governor has been pleased to make the following temporary appointments :—

Mr. A. C. Allnutt to be, in addition to his own duties, Additional District Judge, Negombo, and Additional Police Magistrate, Negombo and Avissawella, with effect from June 1st, 1915.

Mr. C. V. Brayne to be, in addition to his own duties, Additional Police Magistrate,, Avissawella, with effect from June 1st, 1915.

Mr. T. G. Willett and H. M. M. Moore to be, in addition to their own duties, Additional Police Magistrates, Avissawella, with effect from June 1st, 1915.

Mr. R. G. Coombe, to be a Justice of the Peace for the District of Badulla, and an Unofficial Police Magistrate for the Judicial District of Badulla, with effect from June 1st, 1915.

His Excellency the Governor has been pleased to make the following appointments, with effect from June 21st, 1915 :—

Mr. T. W. Roberts to be, in addition to his own duties, Additional Municipal Magistrate, Colombo.

Mr. W. L. Murphy to be, in addition to his own duties, Additional District Judge for the Judicial Districts of Colombo and Kalutara, and Additional Police Magistrate, Kalutara and Panadure.

—" Government Gazette," June 25th.

40. Following on the announcement, many Headmen and leading people were, and according to my instructions are being, produced before Field Courts-Martial, summarily tried, convicted of charges of treason and riotously demolishing buildings, and sentenced to be executed. Several of them have been shot and hanged early in July. The charges of treason have not, in any of these cases, so far as I know and have been instructed, been supported by evidence proving sedition or hostility of any kind to the Crown or the Government, but the convictions on these charges were based on facts proved in connection with the occurrences in the riots. Mr. M. T. Akbar, a Malay by race and a Muhammadan by religion, who is one of many Crown counsel in the Island, and acting office assistant to the Attorney-General, prosecuted on behalf of the Crown.

Extract from
" The Ceylon Morning Leader," June 21st, 1915.

A Court Martial Trial.

As is well-known, Court Martial trials in connection with the recent riots in Colombo, have already commenced. On Thursday Lieut.-Col. Muspratt Williams and two other officers presided at Wekke in Veyangoda district, the prisoners being the Vidane Aratchi and fifteen others. Mr. M. T. Akbar, Crown Counsel, prosecuted, and Messrs. R. H. Morgan, A. St. V. Jayewardede and B. F. de Silva from the Colombo Bar appeared for the defence.

41. These Courts-Martial are presided over by military officers unacquainted with law, of the language, habits, and customs of the Sinhalese; hence the safeguards for the due administration of justice are not present. Three officers hold

Court, surrounded by armed Punjabi soldiers, sometimes in a village rest-house, as at Wekke. The proceedings are very summary, and it may be presumed that evidence which a duly constituted court of law would not accept finds its way into the proceedings, of which no due record is kept. The cross-examination of the counsel for the defence in the Court-Martial held at Wekke, on June 17th and 18th, was limited to about two minutes, and the address to about five minutes. This was the first Court-Martial. Others held in Colombo have convicted and sentenced to execution, Messrs. Pedris and Wijeyesekere, two of the richest and most prominent Sinhalese shopkeepers. Pedris was about 27 years of age and Wijeyesekere was younger, about 25.

Proceedings were originally initiated in the police court, and, in some cases, later remitted to Courts-Martial.

Extract from
"The Ceylon Morning Leader," June 8th, 1915.

Mr. N. A. Wijeyesekere, head of the well-known firm of Messrs. N. S. Fernando, Pettah, is also under arrest since Saturday night, on a warrant issued by one of the Additional Magistrates on a charge of causing grievous hurt with a revolver to a Coast Moor.

Messrs. Allan Drieberg and R. L. Pereira, instructed by Mr. J. E. R. Pereira, appeared for Mr. Wijeyesekere, and Messrs. C. B. Elliott and M. D. Abdul Cader, instructed by Mr. Ismail, for the prosecution.

Bail was allowed and the enquiry was postponed for to-day.

Extract from
"The Ceylon Morning Leader," July 14th, 1915.

July 7th, 1915.

PRISONERS : 1. Jacoris Silva Jayasuria.
2. Dionis Silva Weeratne Jayasuria.
3. Peduma Hennidige Mathew de Silva.
4. Sarukalige George de Silva.
5. Hikkaduwa Liyanage Thomas de Silva.
6. Sarunkali Gallapatige John Silva.

CHARGES : (1) Treason; (2) Riotously damaging a mosque. The six prisoners were found guilty.

SENTENCES : Seven years penal servitude.

PRISONERS : 1. Johannes Wiratunga.
2. Carolis de Silva Wijewickrama.
3. Hawpe Liyanage Telenis.
4. Bastian de Silva Wijewickrama.
5. Boralesse Yapage Don Hendrick alias William.
6. Uragodage John.

CHARGES : (1) Treason; (2) Riotously destroying buildings. The six prisoners were found to be guilty.

SENTENCES : Ten years penal servitude.

Extract from
"The Ceylon Morning Leader," July 6th, 1915.

July 1st, 1915.

PRISONER : Diyunuge Edward Henry Pedris, a Member of the Administrative (Mounted) Section of the Colombo Town Guard.

CHARGES : (1) Treason; (2) Shop-breaking; (3) Attempting to murder; (4) Wounding with intent to murder.

SENTENCE : Death.

CONFIRMATION : Confirmed.

(Sgd.) H. MALCOLM,
Brigadier-General, Commanding the Troops.

Ceylon, dated Colombo,
July 3rd, 1915.

Extract from
"The Ceylon Morning Leader," July 8th, 1915.

July 7th, 1915.

Death Sentence Executed.

The sentence of death which was passed on D. E. H. Pedris was carried out this morning at Welikade Gaol by shooting.

Extract from
"The Ceylon Morning Leader," July 9th, 1915.

Promulgation of Field-General Courts-Martial held at Colombo, on July 1st-2nd, 1915.

PRISONERS : 1. K. K. Don John Sinno.
2. Goiyanse Hettige James Rodrigo, alias James Sinno.
3. H. G. John Sinno.
4. S. A. J. Perera, alias Jacob.
5. W. Girigoris Perera, alias Gigo.
6. Thomas Sinno.
7. Thomas Sami.
8. Francis Pulle.
9. G. A. Pawulis Rodrigo, alias Pawulis Appu.
10. Welandage William Perera.
11. Rannage Thomas Sinno, alias Tomas Appu.

CHARGES : (1) Treason; (2) Murder; (3) Murder; (4) Murder; (5) Murder; (6) Murder; (7) Murder; (8) Murder; (9) Murder. The eleven prisoners were found guilty.

SENTENCE : Death (in each case).

PRISONER : Namunidewage Albert Wijesekera.

CHARGES : (1) Treason; (2) Shop-breaking; (3) Attempting to murder; (4) Wounding with intent to murder. The prisoner was found guilty.

SENTENCE : Death.

The Officer Commanding the Troops has directed that the above capital sentence shall not be executed until an opportunity has been afforded to His Excellency the Governor in Executive Council to consider whether the clemency of the Crown shall be exercised in each case.

Extract from

"The Ceylon Morning Leader," July 12th, 1915.

The sentences of death which were passed on the undermentioned prisoners were carried out in the manner stated, at Welikada Gaol, on July 10th, 1915 :—

By Shooting : F. P. Samarasinghe.

By Hanging : Norris Perera, A. A. Don Peiris, W. P. Peter Saram, Don Joronis Amarakoon, Don Karolis Samarasinghe.

L. A. NORTHCOTE, Captain,

D.A.A.G., Ceylon Command, Colombo,

July 11th, 1915.

Promulgation of Field General Courts-Martial, held at Kandy on July 2nd-3rd, 1915.

PRISONER : Attenegedera Kiri Banda.

CHARGE : (1) Rioting. The prisoner was found guilty.

SENTENCE : Ten years' penal servitude.

PRISONERS : 1. S. Charles Silva.
2. G. A. Livera Wijewickrame.

CHARGES : (1) Rioting; (2) Shop-breaking. The two prisoners were found guilty.

SENTENCE : Two years' imprisonment with hard labour.

PRISONERS : 1. Heen Appuhami.
2. James Singho.
3. T. L. Herat.

CHARGES : (1) Treason; (2) Riotously demolishing a building. The three prisoners were found guilty.

SENTENCE : Fourteen years' penal servitude.

PRISONER : Rajapakse, Notary.

CHARGES : (1) Treason; (2) Riotously demolishing a building; (3) Shop-breaking. The prisoner was found guilty.

SENTENCE : Penal servitude for life.

PRISONER : Abeyesinghe.

CHARGES : (1) Riotously demolishing a building; (2) Shop-breaking. The prisoner was found guilty.

SENTENCE : Three years' penal servitude.

PRISONER : M. K. S. P. Jeremanis Perera.

CHARGES : (1) Rioting; (2) Riotously damaging a house; (3) Riotously damaging a house; (4) Rioting; (5) Shop-breaking. The prisoner was found guilty.

SENTENCE : Fourteen years' penal servitude.

PRISONER : F. A. Dissanayaka.

CHARGES : (1) Rioting; (2) Shop-breaking. The prisoner was found not guilty.

PRISONER : S. Sivagnanam.

CHARGE : (1) Sedition. The prisoner was found not guilty.

Extract from

"The Ceylon Morning Leader," July 7th, 1915.

Promulgation of Field-General Courts-Martial.

With reference to the recent Promulgation of :—

1. Field-General Court-Martial held at Weke on June 17th-18th, 1915; and
2. Field-General Court-Martial held at Colombo on June 26th-27th, 1915, which is republished below :—

Promulgation of Field-General Courts-Martial.

Held at Weke, on June 17-18th, 1915.

PRISONER : Don Carolis Samarasinghe, Vidane Arachche of Welgama, Peruwa.

CHARGES : (1) Treason; (2) Riotously demolishing buildings. The prisoner was found guilty.

SENTENCE : Death.

PRISONERS : 1. Weligama Appuhamilage Carolis Perera Wijeratna Gurunanse, of Malwana.

2. Alutgama Arachchige Don Peiris, P.V., of Pahala Mapitigama.

3. Gangodawillage Noris Perera, P.V., of Malwana.

4. Don Paulu Arachchige David Silva, ex P.V., of Titanatara.

CHARGES : (1) Treason; (2) Riotously demolishing buildings. The four prisoners were found guilty.

SENTENCE : Death (in each case).

PRISONERS : 1. Don Joronis Amarakoon, P.V., of Biyagama, No. 280.

2. Wijesekera Weerasinghe Siriwardene Peter Saram, of Biyagama.

3. Kadawatpedige Vaiya Veda, of Yabraluwa.

CHARGES : (1) Treason; (2) Riotously demolishing buildings. The three prisoners were found guilty.

SENTENCE : Death (in each case).

PRISONER : Alahakoonge Don Francisco Appuhamy, alias Biyagama Gurunanse.

CHARGES : (1) Treason; (2) Riotously demolishing buildings. The prisoner was found guilty.

SENTENCE : Death.

The Officer Commanding the Troops has directed that the above capital sentences shall not be executed until an opportunity has been afforded to His Excellency the Governor in Executive Council to consider whether the clemency of the Crown shall be exercised in each case.

PRISONER : Witan Arachchige Don Carolis Gunasekera Appuhamy, of Walgama.

CHARGE : (1) Riotously demolishing buildings. The prisoner was found guilty.

SENTENCE : Penal servitude for life.

PRISONER : Kanatte Kankanamalage Deconis Perera, of Pahala Mapitigama.

CHARGE : (1) Riotously demolishing buildings. The prisoner was found guilty.

SENTENCE : Penal servitude for life.

PRISONERS : 1. Gangodawila Appuhamilage Pedrick Perera.
2. Nalawatuge Suetan de Silva Appuhamy.
3. Rajapaksa Senadirige Dom Emis Appuhamy.

CHARGE : (1) Riotously demolishing buildings. The three prisoners were found guilty.

SENTENCES : Penal servitude for life (in each case).

PRISONERS : 1. Nalawatuge Mendis de Silva, of Pahala Mapitigama,
2. Gangodawila Appuhamilage Girigoris Perera, of Pahala Mapitigama.

CHARGE : (1) Riotously demolishing buildings. The two prisoners were found guilty.

SENTENCE : Penal servitude for life (in each case).

Promulgation of Field-General Courts-Martial, held at Colombo, on June 26th-27th, 1915.

PRISONER : M. Aron Perera.

CHARGES : (1) Treason; (2) Murder; (3) Murder; (4) Arson. The prisoner was found guilty

SENTENCE : Death.

PRISONERS : 1. M. Carolis Perera.
2. James Manchanayaka.
3. Martin Silva.
4. C. Charlis, alias Chalio.

CHARGES : (1) Treason; (2) Murder; (3) Murder; (4) Arson. The four prisoners were found guilty.

SENTENCES : Death (in each case).

PRISONER : K. Thomas Perera.

CHARGES : (1) Treason; (2) Murder; (3) Murder; (4) Arson. The prisoner was found guilty.

SENTENCE : Death.

PRISONER : John Gomes.

CHARGES : (1) High Treason; (2) Murder; (3) House-breaking. The prisoner was found guilty.

SENTENCE : Death.

PRISONER : F. P. Samarasinha.

CHARGES : (1) Treason; (2) House-breaking. The prisoner was found guilty.

SENTENCE : Death.

The Officer Commanding the Troops has directed that the above capital sentences shall not be executed, until an opportunity has been afforded to His Excellency the Governor in Executive Council to consider whether the clemency of the Crown shall be exercised in each case.

PRISONER : Don Rubel.

CHARGES : (1) Treason; (2) Arson. The prisoner was found guilty.

SENTENCE : Penal servitude for life.

PRISONERS : 1. Alutugamage Siadoris Silva.
2. Kahadawella Aratchige James.

CHARGE : (1) Rioting. The two prisoners were found guilty.

SENTENCE : To be imprisoned with hard labour for one year.

PRISONERS : 1. John Perera Weerasekera.
2. James Samaranayake.

CHARGE : (1) Rioting. The two prisoners were found guilty.

SENTENCES : To be imprisoned with hard labour for two years.

PRISONER : Wilfred.

CHARGES : (1) High treason; (2) House-breaking. The prisoner was found guilty.

SENTENCE : Seven years' penal servitude.

PRISONER : Don Abraham Samaradiwakara.

CHARGES : (1) Rioting; (2) Shop-breaking. The prisoner was found guilty.

SENTENCE : To be imprisoned with hard labour for two years.

The following letter has been received by the Honourable the Brigadier-General Commanding the Troops, Ceylon, from His Excellency the Governor of Ceylon :—

The Queen's House,

Colombo, July 5th, 1915.

Sir,—I have the honour to return herewith proceedings of Field-General Courts-Martial held at Weke on June 17th-18th, and at Colombo, on June 26th-27th, forwarded to me with your letters Nos. 3256/2B and 3256/2C of June 29th and 30th last, and to inform you that, after consulting the Executive Council, I have decided that the clemency of the Crown shall not be exercised in the cases of :—

1. John Gomes.
2. M. Aron Perera.
3. M. Carolis Perera.
4. James Manchanayaka.
5. Martin Silva.
6. C. Charles, alias Challo.
7. K. Thomas Perera.
8. F. P. Samarasingha.
9. A. Don Franciscu Appuphamy, alias Biyagama Gurunnanse.
10. Don Cornelis Samarasingha, V.A., of Walgama, Peruwa.
11. D. J. Amarakoon.
12. W. W. S. Peter de Seram.
13. A. A. Don Peiris.
14. G. Noris Perera.

2. In the cases of :—

1. W. A. C. Perera Wijaratna Gurunnanse,
2. D. P. A. David Silva,
3. K. P. Baiya Veda.

I have decided that there is sufficient ground for the exercise of the clemency of the Crown, and the sentences of death have been commuted to sentences of rigorous imprisonment for life.

I am, Sir,

Your obedient servant,

(Sgd.) ROBERT CHALMERS, Governor.

The Honourable the Brigadier-General
Commanding the Troops, Ceylon.

42. The form of military tribunal selected to try these offences of rioting and looting is the Field-Court Martial, which it is submitted is a makeshift Court, which sits in the Field to summarily inquire into crimes when Government is at a standstill and all Municipal Courts are suspended by active hostilities or armed rebellion. In Ceylon, even in the days of the rioting, there was no resistance to the Government, no attacks on public officers or public buildings, no attacks on persons or property other than against the persons and property of those above referred to (Coast Moors and, later, of some Ceylon Moors after they interfered).

43. Since the cessation of the riots the military forces, as well as the Town Guards, Volunteer Forces, etc., have been employed not so much in suppressing disturbances or—with the exception of a small number—in keeping the peace, but in assisting the Commissioners and the police in collecting evidence, assessing damages, and also in levying compensation, in carrying out the orders made by the General and Commissioners under the several Proclamations, such as the prohibition to be out of doors after a certain hour, and to walk in the middle of the street, even by personal violence amounting to cruelty, lashing being resorted to in many instances.

That even Magistrates did not set any limits to their authority, and were not restrained when they exceeded their powers, may be seen from the following case :—

At the village of Divulapitya, in the district of Negombo, there were two rows of Bazaars facing each other on either side of the street, belonging to two rival Sinhalese landlords, and tenanted by Coast Moormen. One of the landlords took effective steps to defend the Bazaars of the Coast Moor tenants from the fury of the rioters. He collected his servants together, and with a few pieces of firearms (which were not used) went forward and succeeded not only in saving his property but the goods of his tenants. The Bazaars opposite were demolished. Later, he was arrested by the military and brought to Negombo. He was taken back to his village, Divulapitya, by the Police Magistrate, Mr. N. J. Luddington, under an armed military escort. Firearms (according to my instructions two or three guns) which he had in his possesssion, and which helped him, as stated above, to

defend his property, were found on his premises, as well as sacks of rice (the goods of his Coast Moor tenants which he had removed at their request for safe custody from the riotous mobs). The arms and rice were held to be conclusive evidence against him. The accused man explained the circumstances, and begged for a proper enquiry and time to produce his Moorish tenants, who had escaped and were in concealment since the riots. Time was refused, though, it is urged, nothing would have been lost by the delay. Mr. Luddington had the man placed against the wall, who begged to the last for a trial, and shot by a party of Town Guardsmen. He was shot in the presence of the inmates of his household and a number of people who had assembled. He was a full-blooded, vigorous man, in the prime of life, and he twice rose from the ground bleeding profusely. The third volley dashed out his brains. Soon after, his sister produced the receipts granted by the Coast Moormen, which he had taken the precaution to secure when they entrusted their property to him. The executed man was a wealthy citizen.

The Government transferred Mr. Luddington from Negombo, on the night of June 8th, to another station as Police Magistrate and Commissioner of Requests (Civil Judge) of the town of Panadure.

Extract from
" Government Gazette " from Ceylon Newspaper.

His Excellency the Governor has been pleased to make the following appointments, with effect from June 9th, 1915 :—

(1) Mr. N. J. Luddington to the office of Commissioner of Requests and Police Magistrate, Panadure.

(2) Mr. W. A. Weerakoon to the office of Commissioner of Requests and Police Magistrate, Negombo, and Assistant Superintendent of the Prison at Negombo.

—" Gazette," June 11th, 1915.

44. Hence it will be noted that it is scarcely possible to secure information as to what is transpiring in the country. The policy of secrecy of the Local Government with regard to its action in Ceylon is indicated in the following notification, published in the local papers, marked " Exclusive to Ceylon." The restriction prevents the information from being printed in the overland editions of the Ceylon newspapers which circulate in England, and all letters are heavily censored by a strict military and civil censorship.

Supplement to the "Ceylon Independent," Colombo, Tuesday, June 22nd, 1915.

Under Military Law.

All serious cases to be tried by Court-Martial.

(*Exclusive to Ceylon.*)

Probably for the first time in the history of Ceylon, Courts-Martial for the trial of civilians charged with high crimes and misdemeanours are being held. The Courts-Martial now are under Army authority, brought in by Proclamation of August, under which the whole of the population of Ceylon has become subject to military law, which applies to all the inhabitants, although few know it.

These Courts, since Martial Law was proclaimed, are subject to confirmation by the Government or the General Officer Commanding. The Courts can pass any sentence of death, and there is no appeal. All serious cases will now be tried by Court-Martial. A Court-Martial sat at Weke on Thursday and Friday, June 17th-18th, on sixteen prisoners.

45. It might be repeated that these acts, under Martial Law, were committed after the riots had entirely ceased, and the country was practically quiet. The hardships entailed by Martial Law in Ceylon may be gathered from the following occurrence. These incidents occur in Colombo, where the highest officials are stationed. The military acts unrestrainedly in the villages among the peasantry, who are helpless and unarmed. After enquiries, the following facts were gathered. There is great reticence observed over these affairs owing to Martial Law, and information is difficult to get.

Late in June, Town Guards were watching the ferry of the Kelani River, close to Victoria Bridge, where produce from towns in the North-Western Province used to be landed by Padda boats (barges).

A boatman was approaching with his laden barge propelled by a pole. He was challenged and asked not to approach the shore. He tried to stop the heavy barge, but it was not possible, as the current was running swiftly at the time, the river being swollen by the monsoon rains. The boatman raised his pass in his hand, and shouted "Pass." A second challenge followed, and the Town Guardsman took aim. The first shot missed the boatman; he rose in the barge waving his pass with both hands. A second shot killed him.

The City Coroner, Mr. F. L. Daniel, J.P., Proctor, reported the matter to the authorities, and he was severely censured by

the Officer Commanding, and ordered not to criticise the action of the military in future.

46. The printed Proclamations declared that those found after hours without a pass in the streets would be liable to arrest and imprisonment (paragraph 21), but shooting by Punjabi soldiers has become so common that a military officer declined to give passes to a prominent lawyer and his servants, on the ground of their liability to be shot, though having passes.

According to information obtained in the Maradana Ward, Colombo, a young Sinhalese operative, as he was let out of his workshop after 6 p.m., was challenged by the Punjabi soldier in the street. He did not know how to answer, and was seized with fear, and, as he turned to run, he was shot down dead.

Many Sinhalese, ignorant of the nature of a challenge, and seized with panic at the sight of an armed Punjabi soldier, were shot. They turned to run, and were shot down.

47. The train which carried the Inspector-General of Police, Mr. Dowbiggin, who was returning from Kandy on June 3rd (Thursday), with a number of armed Punjabi soldiers, was held up by hundreds of unarmed, excited villagers crowding on the line between Mirigama and Veyangoda. The military Punjabis opened fire, and numbers of the Sinhalese were shot down dead. The number of those killed by the military has not been officially announced.

Extract from
"*The Ceylon Morning Leader*," *Saturday, June 5th,* 1915.

An incident of the disturbance occurred on Thursday evening between Veyangoda and Mirigama. Mr. H. L. Dowbiggin, I.G.P., was travelling down from Kandy to Colombo with some constables and men of the 28th Punjabis. The train was held up by a big mob of several hundred natives who stood on the line. The engine was brought to a standstill and the Punjabis got out and opened fire on the crowd, which dispersed in all directions, leaving 35 killed and many wounded on the spot.

(The writer is instructed that the total of those killed is much larger than 35.)

48. One of the severest regulations that suddenly came to be enforced by the police under Martial Law is a rule of the road by which people are forbidden to walk in the middle of the streets on pain of being lashed (Proclamation, par. 21). No sufficient

intimation of the enforcement of this rule has been given, and citizens found walking in the streets are immediately taken into custody by the police, and after being lashed on the back with rattans in the police stations, where they are confined for several hours, are released. About the end of June, the Chief Justice's groom, who was leading a horse in the street, was arrested, and had his back marked with rattans. About the same time the rickshaw coolie of Mr. M. S. Fernando, notary public, was arrested by the Maradana police for walking in the middle of the road. On the sudden disappearance of his servant, Mr. Fernando made enquiries, and ultimately discovered that he was locked up in the Maradana Police Headquarters, to which he telephoned. He was informed that the man would be released, and when he returned later, his back was lacerated with rattans.

Again, Mr. Fernando's notarial clerk was absent from work. He also had been similarly treated by the police, though he was a well-conducted and educated man.

On the day the rule was first enforced, numbers of Government and merchants' clerks were arrested on their way to office, and locked up in the Fort Police Station.

Respectable residents of the educated classes are not exempt from police violence, some of them being kicked in the public streets for the infraction of this rule.

Daily every morning Sinhalese men, women, and lads are arrested in villages and confined in suburban police stations, and are then carried into town. Large motor vans are filled, under military escort, the police literally kicking people into the vans.

Hundred of men, herded in small police lock-ups—principally villagers on suspicion—have in certain places been contracting dysentry.

49. It is unfortunate that the Governor of the Colony, Sir Robert Chalmers, did not see the necessity of consulting the unofficial members of the Legislative Council before proclaiming Martial Law. Both His Excellency and the Colonial Secretary, Mr. R. E. Stubbs, are new to the colony, and are, therefore, inexperienced. It is submitted that consultation of un-

official public opinion would have been of decided advantage to the Government. Even later, after the proclamation of Martial Law, the Governor politely declined to see the Hon. Mr. Ramanathan, K.C., C.M.G., Elected Ceylonese Member, who requested an interview, and referred him to the General Officer Commanding. The fact that no accredited Sinhalese or Ceylonese representatives have had access to the Governor, while the daily newspapers (*vide* extract given below) announce that His Excellency continues to be in close touch with Sir Thomson Broom, President of the Chamber of Commerce, have had a disturbing effect on public opinion.

Extract from

"*The Ceylon Morning Leader*," *June 16th*, 1915.

Sir J. Thomson Broom, Chairman of the Chamber of Commerce, dined with His Excellency the Governor at Queen's House, on Monday night.

Lady Chalmers and Mrs. Stevenson, accompanied by the Maha Mudaliyar, are coming down to-day.

50. The following facts may be submitted as further reasons for the withdrawal of Martial Law :—

1. The resumption of trade and business in the country, in spite of the many restrictions imposed under Martial Law upon the ordinary liberty of the people.

2. The fact that a Buddhist Festival, connected with the Poson or June Full Moon, has passed without any disturbances.

3. The quiet submission of the people to all orders, including the surrendering of their title deeds on the demand of the Commissioners and the payment or the execution of bonds for sums arbitrarily fixed by the Commissioners as compensation.

4. That in the town of Colombo, and in some other places, the Coast Moors have re-opened their boutiques, and are plying their trade without interference.

51. When passes were applied for, the military usually enquired, " To what nationality do you belong? " If the applicant was Sinhalese, the officers sometimes refused the pass,

on the ground that the " Sinhalese were the origin of the row." Passes were refused to Sinhalese professional and business men of standing, merely on account of their race, while passes were readily granted to Tamils and numbers of other races of all classes. Even Sinhalese lawyers experienced difficulty in securing passes to proceed to outlying villages to appear in Courts-Martial and other proceedings.

Of the motor-cars that were commandeered, those belonging to Sinhalese gentlemen alone were retained after the others were returned. Some of these were put to private use.

All firearms belonging to Sinhalese, even those handed to watchers of cocoanut plantations, had to be surrendered.

In Colombo and the country districts, the firearms belonging to Sinhalese, including the educated and better classes, were retained, while those belonging to Tamils, Ceylon Burghers, and other classes were returned. Europeans alone were not asked to surrender their guns. The writer's information is that firearms that have been surrendered by the Sinhalese have been destroyed.

The Officer Commanding, Brigadier-General H. H. L. Malcolm, has inaugurated a scheme of village defence, from which Sinhalese Buddhists are virtually excluded.

This is the first time during the history of British rule in the island that disabilities have been imposed on, and a racial distinction has been drawn between the Sinhalese, as such, and Europeans and other classes of His Majesty's subjects in Ceylon.

Extract from
The Capitulation of Colombo, 1796.

That the citizens and other inhabitants shall be allowed to follow their occupations, and enjoy all the liberties and privileges of the subjects of His Britannic Majesty.

—Article XIX., Treaty, February 15th, 1796.

Extract from
The Kandyan Convention, 1815.

The British in the Articles of Cession agreed to save to

The Adigars, Dissaves, Mohotteles, Caraals, Vidaans and all other chief and subordinate headmen . . . the rights, privileges and powers of their respective offices, and to all classes of the people the safety of their persons and property, with their civil rights and immunities according to the laws, institutions and customs established and in force amongst them.

Kandyan Convention, November 21st, 1815.

The religion of Boodho, professed by the chiefs and inhabitants of these provinces, is declared inviolable and its rites, ministers, and places of worship are to be maintained and protected.

Kandyan Convention, November 21st, 1815.

Extract from Proclamation, 1818.

Every Kandayan, be he of the highest or lowest class, is secured in his life, liberty and property, from encroachment of any kind or by any person, and is only subject to the laws which will be administered according to the ancient and established usages of the country.

—Proclamation of November 21st, 1818.

Extract from

"The Ceylon Morning Leader," June 28th, 1915.

Town Guards in the Provinces.

Scheme by the Brigadier-General.

Guards to be Formed Immediately in All Towns.

A special circular letter has been addressed by the Hon. the Colonial Secretary embodying copy of a scheme promulgated by the Brigadier-General for the formation of Town Guards in the Provinces, which has been approved of by His Excellency the Governor. It concludes with the request that immediate steps be taken to arrange for the formation of Guards in all towns and small towns where such Town Guards can be formed.

Scheme to Form Town Guards.

To provide for the immediate tackling in future of such riots as have recently occurred, in the places where they originated, it is desirable that every loyal man be made available and organised into units, where he will learn the particular duty most suitable to himself.

Formation of Committees.

It is proposed that this be taken in hand at once by local Committees in each town, consisting of :—

The Government Agent or Assistant Government Agent of the District.

The Senior Police Officer, if of the rank of Assistant Superintendent of Police, or Superintendent of Police.

The Senior Volunteer Officer and two other Volunteers to be named by him.

Two Senior Planters.

Any other person they may wish to add to their number.

Form of Organisation.

These units should be organised on the lines of the Colombo Town Guard, which has proved useful and suitable to its purpose. This consists (in addition to a mounted section and half company of artillery), of :—

Two Combatant Companies—all Europeans.

Four Administrative Companies—mostly Burghers, Malays, and Muhammadans.

A Machine Gun Section

A Transport Section.

Battalion Scouts and Communication Section.

Each Company numbers about 277, all ranks, divided into four Platoons of some 50 men each, which contain four Sections each of some 50 men, which contain four Sections each of some 12 men.

The Combatant Companies have Company Scouts, Communication men, and Judging Distance men.

On these lines a small town might raise one Combatant Section and three Administrative Sections, forming a complete Platoon under a Lieutenant or Second-Lieutenant.

The Combatant Companies have rifles, and practice drill, training and musketry on a Volunteer basis; the Administrative Companies have more the role of Special Constables; they also drill and occasionally obtain the loan of rifles when available. They have many duties of protection told off to them.

This proposal is not intended to interfere in any way with the existing Volunteer Forces, for which, indeed, it is likely to provide recruits.

Action to be taken by Individual Planters.

Individual planters and others who live in isolated places and for whom Volunteering has no attractions, should be enrolled as Special Constables, and can each form a separate group of loyal men from their immediate subordinates, for local action if necessary.

It is hoped that by this system any band of roughs would be promptly met by a body of loyal men, who would tackle them at once before they could extend their operations.

No doubt in time these little Town Guards will cease to exist, when the necessity for their use passes away; but the organisation would remain, and they can be quickly revived whenever the need for them seems likely.

Uniform: Badges.

The men provide themselves with khaki uniform or if they prefer it with two khaki arm bands as a distinctive mark, and Government provides them with badges to wear on their shoulder straps or arm-bands. All the Companies in Colombo have now got uniform.

Instructors.

The services of the Volunteer Instructors or of any loyal Volunteer or ex-Volunteer will be utilised to instruct them, as far as these are obtainable.

Form of Oath.

The men take the Oath of Allegiance and undertake to attend drills and musketry regularly.

Immediate steps should be taken to raise and organise such units.

The circular letter, besides embodying the scheme, contains two annexures, the first being the rules and regulations of the Colombo Town Guards (Ordinance No. 22 of 1914) and the second as follows:—

Duties which can be Undertaken or in which Assistance can be given by Members of the Administrative Section.

1. Preservation of order at railway stations, securing despatch of women and children up-country, assistance in control of traffic, guarding railway telegraphs to see that stations are not left by operators, to see the lines are kept working, supervision of despatch of goods traffic.

2. Guarding telegraphs, post offices, wireless, electric works, and making preparation to destroy machinery, etc., if necessary.

3. Concentration and collection of motor cars, bicycles and other transport; supervision and recruitment of cyclists for messenger work.

4. Assistance to be rendered in removal of Treasury, cash in banks, etc., providing carts, guards, etc., removal of Government records, etc.

5. Distribution of information, notices, etc., taking warning messages by hand or motor service.

6. Taking possession of firearms in shops, etc., which may be required in defence of the town.

7. Clearing open spaces that may be required for military purposes, acting and posting sentries to prevent persons approaching military lines, etc.

8. Delivery of urgent messages, acting as gallopers, etc.

9. Collection and distribution of ammunition, powder, etc.

10. Control of rice stores, food stuffs, supplies required for troops, taking steps to prevent their being hidden or removed from the town.

11. Assisting in controlling traffic generally, and guarding such spots as Kelaniya Bridge, railway crossings, etc., keeping undesirable persons out of the town and preventing rushes at exits or entrances.

12. Guards, when and where additional assistance is required, and when necessary to relieve troops and Volunteers.

13. Assistance in removing persons and property from fire areas.

14. Prevention of civil disturbances, bolting of employees, etc.

15. Protection of railway lines at different points, with the assistance of native staff, etc., *e.g.,* estate superintendents could help with coolies, etc.

16. Recruiting and distribution of labour forces required, *e.g.*, drainage, overseers can transport and supervise all coolies required for digging trenches, etc., organisation of labour; employers of labour can extend scheme to their own employees.

17. Assistance at hospitals, distribution of medical stores, ambulance work, etc.

18. Selection of stores and other buildings, supervision of requirements for their use.

52. The last mail papers from Ceylon publish the draft of a new law to be passed forthwith, constituting a Special Tribunal for "the trial of certain persons, now detained under Martial Law, who are not charged with acts of violence or direct incitement to, or complicity with, acts of violence." Presumably the "persons" here indicated are the gentlemen who were committed to prison in June last and are still in confinement without a charge and without a trial. The provisions of the new Act, it will be seen, are not specific, and are given a retrospective effect.

Extract from
"The Ceylon Morning Leader," July 26th, 1915.

Provision of a Special Tribunal for Cases of Sedition and Cases of Public Disorder.

The following Draft of a proposed Ordinance was published on Saturday as a "Government Gazette" Extraordinary:—

An Ordinance to Amend "The Criminal Procedure Code, 1898."

Whereas it is expedient to amend "The Criminal Procedure Code, 1898": Be it therefore enacted by the Governor of Ceylon, by and with the advice of the Legislative Council thereof, as follows:

1. This Ordinance may be cited as "The Criminal Procedure Code (Amendment) Ordinance No. of 1915."

2. The following section shall be added to the Criminal Procedure Code, 1898:—

440A (1). In the following cases, that is to say (*a*) in the case of any offence under section 120 of the Penal Code (hereinafter referred to as "sedition"), (*b*) in the case of any other offence which by reason of civil commotion, disturbance of public feeling, or any other similar cause, the Governor may consider to be appropriately triable in the manner in this section provided, the Governor may by warrant under his hand direct that the person charged shall be tried at Bar without a jury by three Judges of the Supreme Court.

(2) A trial under this section may be held either upon indictment or upon information exhibited by the Attorney-General, and the limitations of Section 385 shall not apply to an information so exhibited.

(3) A trial under this section shall proceed as nearly as possible in the manner provided for trials before the Supreme Court, subject to such modifications as may be ordered by the Court, or as may be prescribed by Rules under this Code.

(4) A person directed to be tried under this section shall not be admitted to bail without the consent of the Attorney-General.

(5) In any trial for sedition under this section notwithstanding anything contained in the Penal Code, and notwithstanding that the offence was committed before the enactment of this section, the Court may impose any sentence which might be imposed under the law for the time being in force in England.

Provided that in the case of any offence committed before the enactment of this section had no sentence shall be imposed upon the person convicted which might not have been passed upon him if this section had not been enacted, whether under the Penal Code or otherwise.

Summary of Objects.

The objects of this Ordinance are :—

1. To provide a permanent special tribunal for the trial of certain classes of cases, which, whether by virtue of their own nature or the circumstances of the time, are not appropriately triable by jury.

2. To provide a more adequate and elastic punishment for cases of sedition tried before this tribunal than is allowed by the present law.

3. To provide for the trial of certain persons, now detained under Martial Law, who are not charged with acts of violence, or direct incitement to, or complicity with, acts of violence.

The Coming Legislative Council Session.

The publication of the draft Budget and of the urgent Ordinances which it is proposed to enact shows that the Government proposes to open the new Session of the Legislative Council at an early date. Perhaps the formalities of a new Session may be dispensed with, and the Council may meet without any *eclat* to get through its important business. We take it that the first meeting will not be delayed beyond the first week in August, for the Council has a great deal to do, and will need some time for all the work it has before it. Besides, it is possible that, apart from the business arranged by the Government, the unofficial Members may have contributions of their own to make to the work of the Session, and all this will certainly require more than seven or eight meetings. We have not the space to-day for any comment on the Budget, but have no doubt that every student of public affairs will mark the figures with care, and note the influence upon our administrative outlook produced by the war.

53. The effect of the present policy, it is submitted, would be the crushing out of existence of the Sinhalese, as a people, in the centenary year of their Union with Britain. Its continuation, it is apprehended, would deeply rankle in the minds of a nation who are the most loyal of any in the Empire.

The distrust that these harsh measures have called forth has created the feeling in the country that they have been inspired by the civil authorities as a means of suppressing the Buddhist leaders of the Temperance movement, who, with the co-operation of European missionaries and Christian Temper-

ance bodies in Ceylon and in England, had in a great measure successfully opposed the excise policy of the Local Government.

The arrest and imprisonment, without charge, of the most prominent Temperance leaders, men of tried fidelity to the Crown and unblemished character, lends colour to this suggestion.

Speaking with a full sense of responsibility on behalf of a loyal nation, who are fully alive to the privileges of citizenship in a free Empire, the proceedings above referred to are calculated to create distrust in the fair administration of justice. I may be allowed to call your attention to one recent exhibition of this fidelity in the crisis of the Empire. Not satisfied with the equipment of a European contingent for the front, the people of Ceylon clamoured for active participation in the war against His Majesty's enemies. The Secretary of State sanctioned a contingent, to consist of 100 Ceylonese, on the recommendation of the Governor, Sir Robert Chalmers. Men were forthcoming, and passed the test required, but, unfortunately, the Brigadier-General, H. H. L. Malcolm, who appears to be misinformed in regard to the capacity of the Ceylonese for military service, imposed a further test on the Ceylonese selected, that they should hold with their stretched-out right arm a rifle by the small of the butt, retaining it in a horizontal position for sixty seconds. As a large number could not pass this severe test, the contingent fell through. This was a grievous disappointment to the people of the island, whose feelings had been previously hurt by a statement made by the Brigadier-General when addressing the European Town Guard, that the Ceylonese did not come of fighting stock, and would not be fit even to protect the city in case of invasion. The Ceylon Volunteer Force, of which the Colonel-in-Chief is His Majesty the King, mainly consists of Ceylonese, and holds a high record for marksmanship and efficiency. These remarks were felt to be a reflection on all the Ceylonese races, with whose traditions and history the Brigadier-General appears to be unacquainted. This disappointment was given expression to in a loyal demonstration of protest at a meeting of the Ceylonese National Association, a well-recognised and representative institution. The Hon. Mr. K. Balasingham sought to remove the impression by proposing in Council a resolution to create a "Ceylonese Army," for the consideration of which the Governor nominated a Committee of the Legislative Council.

By reason of the premises, the writer and applicant, on behalf of those whom he represents, earnestly prays that Martial Law may be forthwith withdrawn; that all civilians may be tried by the ordinary tribunals instead of by Field-Courts-Martial; that those leaders (as is submitted) illegally arrested without a charge be forthwith discharged, and that the sentences of shooting passed may be stayed till their validity has been decided by the Privy Council or the cases are considered by the Imperial authorities; that a Royal Commission be appointed to enquire into the causes and extent of the riots and the administration of the Colony under Martial Law.

EDWARD W. PERERA.

5, Pump Court,
Temple, London, E.C.

August 12th, 1915.

APPENDIX "A."

IN THE SUPREME COURT OF THE ISLAND OF CEYLON.

In the matter of the application of W. Lionel de Silva, of Flower Road, Colombo, for a Writ of Habeas Corpus for the production of the body of Wilmot Arthur de Silva.

I hereby certify that annexed are certified copies of proceedings in the above matter, to wit :—The petition, the petitioner's affidavit, the affidavit of Mr. G. L. Cooray, Proctor, the Power of Appointment of Mr. Cooray, the affidavit of the Officer Commanding the Troops, Ceylon, the notice issued on the respondents, the Fiscal's Precept and Report, and the Order and Judgment of the Supreme Court.

Registrar.

Colombo, July 2nd, 1915.

(L. S.)

IN THE SUPREME COURT OF THE ISLAND OF CEYLON.

In the matter of the application of W. Lionel de Silva, of Flower Road, Colombo, for a Writ of Habeas Corpus for the production of the body of Wilmot Arthur de Silva.

W. LIONEL DE SILVA, of Flower Road, Colombo, Petitioner.

Notice allowed.

By Order.
Sd. L. L. Daniels,
Dy. Regtr.
26/6/15.

On the 26th day of June, 1915.

The humble petition of the petitioner above named, appearing by Gerald Lionel Cooray, his Proctor, states as follows :—

1. The petitioner is a nephew of the above-named Wilmot Arthur de Silva, Justice of the Peace for the Western Province.

2. On June 21st, 1915, the said Wilmot Arthur de Silva was arrested and taken into custody by certain persons and removed from his residence in Colombo to the prison at Welikada, and has since been and is now in the custody of the Superintendent of the said prison.

3. The petitioner is credibly informed that no charge whatever has been made against the said Wilmot Arthur de Silva.

4. At the date of the said arrest peace and tranquility prevailed in the island, and all the Courts in the island were sitting and administering justice without any interruption or hindrance. Such peace and tranquility continued ever since.

Wherefore the petitioner prays for a writ of Habeas Corpus directed to the said Superintendent of the said prison and to each and every the officer or officers, person or persons, having the custody of the said Wilmot Arthur de Silva to produce the said Wilmot Arthur de Silva before this Honourable Court.

2. That the said Wilmot Arthur de Silva be discharged.

3. For such further or other relief as to this Court shall deem meet.

(Signed) G. L. COORAY,
Proctor for Petitioner.

IN THE SUPREME COURT OF THE ISLAND OF CEYLON.

In the matter of the application of W. Lionel de Silva, of Flower Road, Colombo, for a Writ of Habeas Corpus for the production of the body of Wilmot Arthur de Silva.

W. LIONEL DE SILVA, of Flower Road, Colombo, Petitioner.

I, W. Lionel de Silva, of Flower Road, Colombo, solemnly, sincerely, and truly declare and affirm as follows :—

1. I am a nephew of the above-named Wilmot Arthur de Silva, Justice of the Peace for the Western Province.

2. I am credibly informed and verily believe that on the 21st of June, 1915, the said Wilmot Arthur de Silva was arrested and taken into custody by certain persons, and removed from his residence in Colombo to the prison at Welikada, and has since been and is now in the custody of the Superintendent of the said prison.

3. I am informed and verily believe that no charge whatever has been made against the said Wilmot Arthur de Silva.

4. Through my Proctor, Mr. G. L. Cooray, I applied to the said Superintendent of the said prison for a copy of the warrant or authority upon which the said Wilmot Arthur de Silva was being detained. The said Superintendent of the said prison refused to comply with my request.

5. At the date of the said arrest peace and tranquility prevailed in the Island, and all the Courts of the Island were sitting and administering justice without any interruption or hindrance. Such peace and tranquility has continued ever since.

Signed and affirmed to at Colombo on
this 26th day of June, 1915.

(Signed) WILTON LIONEL DE SILVA.

Before me,
(Signed) M. M. MARKAR, J.P.

IN THE SUPREME COURT OF THE ISLAND OF CEYLON.

In the matter of the application of W. Lionel de Silva, of Flower Road, Colombo, for a Writ of Habeas Corpus for the production of the body of Wilmot Arthur de Silva.

W. LIONEL DE SILVA, of Flower Road, Colombo, Petitioner.

I, Gerald Lionel Cooray, make oath and say as follows :—

1. I am the Proctor of the above-named petitioner.

2. I saw Wilmot Arther de Silva above named at the Welikada Prison on the 26th June, 1915, and once previously.

3. On the said 26th June, 1915, I was informed by the said Wilmot Arthur de Silva, and verily believe, that when he was arrested on the 21st June, 1915, he asked the persons arresting him on what charge he was being arrested, and that he was told in reply that all that the said persons could say was that he was arrested under Martial Law, and that the said Wilmot Arthur de Silva has never been informed of any charge against him.

Signed and sworn to at Colombo on this
26th day of June, 1915.

(Signed) G. L. COORAY.

Before me,

(Signed) M. M. MARKAR, J.P.

True Copy.

KNOW ALL MEN BY THESE PRESENTS THAT

have nominated, constituted, and appointed, and do hereby nominate, constitute, and appoint Gerald Lionel Cooray, Proctor, of the Honourable the Supreme Court of the Island of Ceylon, or, in his absence, any other Proctor or Proctors, of the said Honourable the Supreme Court or of the District Court of Colombo, to be my true and lawful Proctor, and for me and in my name and behalf before the Supreme Court of Ceylon to appear and this Proxy to exhibit, and by virtue hereof to apply for a Writ of Habeas Corpus against the Superintendent, Prison Welikada, to produce Wilmot Arthur de Silva of Colombo, AND to draw, receive, and take all moneys that may be recovered, deposited, or paid in this suit for and in respect of my claim and costs, and without notice to me to move for and obtain in his name any order or orders from the said Court for the payment of any sum or sums of money that may be recovered, paid, or deposited therein, and to give all necessary receipts, releases, and discharges therefor; and, if need be, to refer the said claim and all or any matters in respect of the action instituted by virtue of these proceedings to the award and decision of arbitrators, and to name an arbitrator for that purpose, and to sign my any motion, application, submission, or bond for the purpose of the arbitration, and to appear before the arbitrators, and to take all steps in respect of any award on such submission or references as to the said Proctor shall deem necessary; and generally and otherwise to

take all such lawful ways and means, and to do and perform such acts, matters, and things as may be needful and necessary in and about the premises as my said Proctor or his substitute or substitutes may consider necessary towards procuring or carrying into execution any judgment, or order, or a definitive sentence, or final decree, to be made and interposed herein; and from any judgment, order or decree, interlocutory or final, of the said Court appeal; and every bond or recognisance whatsoever necessary or needful in the course of proceedings for the prosecution of such appeal, or for appearance, or for the performance of any order or judgment of the said Court for and in my name, and as my act and deed, to sign and deliver and to appoint, if necessary, one or more substitutes, or Advocate or Advocates, both in District Court and Supreme Court, and again at pleasure to revoke such appointment and appoint anew. AND ALSO, if the said Proctor shall see cause the said action or suit to discontinue, compromise, settle, or refer to arbitration, and every such compromise, settlement or reference in my name and behalf to sign, and to make a rule of Court, I hereby promising to release all kinds of irregularities, and to ratify, allow and confirm all and whatsoever the said Proctor or his substitute or substitutes, the said Advocate or Advocates, shall do herein.

IN WITNESS whereof I have hereunto set my hand at Colombo, this 26th day of June, 1915.

The address for service of process under the provisions of the Civil Procedure is at 115, Hultsdorf.

(Signed) WILTON LIONEL DE SILVA.

WITNESSES :

True Copy.

Registrar.

IN THE SUPREME COURT OF THE ISLAND OF CEYLON.

In the matter of the application of W. Lionel de Silva, of Flower Road, Colombo, for a Writ of Habeas Corpus for the production of the body of Wilmot Arthur de Silva.

I, Henry Huntly Leith Malcolm, Brigadier-General, Officer Commanding the Troops in Ceylon, make oath and say as follows :—

Wilmot Arthur de Silva, the person referred to in the petition in this case, was arrested and is now detained by my orders in pursuance of my powers under Martial Law.

Signed and sworn to at Colombo, on this
27th day of June, 1915.

(Signed) H. H. L. MALCOLM,
Commanding Troops, Ceylon.

Before me :
(Signed) R. E. STUBBS,
Justice of the Peace.

True Copy.
Registrar.

IN THE SUPREME COURT OF THE ISLAND OF CEYLON.

In the matter of the application of W. Lionel de Silva, of Flower Road, Colombo, for a Writ of Habeas Corpus for the production of the body of Wilmot Arthur de Silva.

W. LIONEL DE SILVA, of Flower Road, Colombo, Petitioner.

To the Honourable the Attorney-General,
Colombo, Ceylon.

To the Superintendent of Prison at Welikada,
Colombo.

Upon reading the petition of the petitioners above named, dated the 26th day of June, 1915, and upon the motion of Mr. Advocate A. St. V. Jayawardene, Counsel for the said petitioner, it is hereby ordered that the Superintendent of the Prison at Welikada to show cause why an order should not be made directing him to produce the body of the said Wilmot Arthur de Silva, now in his custody, on Monday, the 28th day of June, 1915, at 9.45 o'clock in the morning, before the Supreme Court of Ceylon at Hultsdorf.

Witness the Honourable Sir Alexander Wood-Renton, Kt., Chief Justice, at Colombo, the 26th day of June, in the year of Our Lord One thousand nine hundred and fifteen, and of our Reign the Sixth.

(Signed) LLOYD L. DANIELS,
Deputy Registrar.

True Copy.
Registrar.

PRECEPT TO FISCAL TO SERVE NOTICE.

IN THE SUPREME COURT OF THE ISLAND OF CEYLON.

In the matter of the application of W. Lionel de Silva, of Flower Road, Colombo, for a Writ of Habeas Corpus for the production of the body of Wilmot Arthur de Silva.

W. LIONEL DE SILVA, of Flower Road, Colombo, Petitioner.

To

The Fiscal of the Western Province.

Serve forthwith the notices in the above-named matter which, with duplicates, is herewith transmitted to you, upon each of the persons to whom it is directed, and leave with or tender to each such person a duplicate notice.

And certify to this Court on or before the 26th day of June, 1915, at 9.45 a.m., in what manner you have executed this Precept, returning the original notice attached to your Certificate as an exhibit.

By order of the Court.

(Signed) LLOYD L. DANIELS,
Deputy Registrar.

The 26th day of June.

True Copy.

Registrar.

Application for a Writ of Habeas Corpus the Production of the body of Wilmot Arthur de Silva.

A. St. V. Jayewardene, Allen Drieberg, and Samarawickreme for the applicant.

The Attorney-General and Bawa, K.C., A.S.G., for the Crown.

Wood-Renton, C.J. :—

This is an application under section 46 of the Courts Ordinance for a mandate in the nature of a writ of Habeas Corpus. The affidavits submitted by both sides show that the applicant, Wilmot Arthur de Silva, was arrested on June 21st, and is being detained in military custody, by the orders of the General Officer Commanding the Troops, who has justified the

arrest and the detention on the ground that he is acting in the exercise of his powers under Martial Law. By virtue of a Proclamation, dated August 5th last year, bringing into operation an Imperial Order in Council of October 24th, 1896, all persons in this Colony are subject to military law as if they were actually accompanying His Majesty's Forces. By a later Proclamation, dated June 2nd in the present year, His Excellency the Governor declares that the maintenance of order and the defence of life and property in the provinces to which the Proclamation shall be made applicable have been committed to Brigadier-General Malcolm, the Officer Commanding the Troops, and that he is authorised " to take all steps of whatever nature that he may deem necessary for the purposes aforesaid." This Proclamation is in force in the Western Province, within the limits of which the applicant has been arrested. The question now arises whether he is entitled to be released from custody by the issue of a Habeas Corpus. The principles of law applicable to the determination of this question are well settled. We are concerned here with Martial Law in the sense not of the old law martial, which governs the discipline of an army engaged in actual, and especially upon foreign service, or of the modern military law, but of the assumption by the Officers of the Crown of powers which they deem necessary for the protection of the Colony in view of the existence of what is known as an " actual state of war." This expression is not confined to hostilities between independent Sovereign States. It is obvious that there may be domestic disturbances which present all the features of actual warfare, and which justify the same measures for the public security. The question whether an " actual state of war," as thus defined, exists or not is purely one of fact. The circumstance that the ordinary Courts are open may constitute evidence, and material evidence, against the existence of such a state of war. But it is not conclusive. It is, least of all, conclusive where a country is in a state of unsettlement at a time when actual acts of violence may for the moment have ceased. The authorities, when they have to deal with such circumstances as these, may well regard the keeping open of the municipal tribunals as being itself a part of the healing process which it must be their endeavour to induce. No authority was cited to me at the argument yesterday, and I am aware of none, which

prevents the continuance of the exercise of the powers, compendiously described as existing under "Martial Law," during such a period of unsettlement as I have just referred to. On the contrary, the decision of the Privy Council in the case of *Elphinstone* v. *Bedreechund* (1) itself furnished an example of the continuance of Martial Law powers in a district which at the time was merely disturbed, and in which the ordinary Civil Courts of Law were for many purposes being kept open. The more recent case of *Ex parte Marais* (2) furnished strong corroboration of the soundness of that principle. The position of the municipal Courts in regard to Courts exercising Martial Law powers is clear. There is old and ample authority for the proposition that the superior Courts of law have full power to review by the issue of writs of Habeas Corpus the legality of arrests and detentions under the ordinary naval and military law, see *Ex parte Blake* (3), *King* v. *Suddis* (4), *In re Allen* (5), *In re Douglas* (6), and *Queen* v. *Cuming* (7). But where Martial Law in the sense with which we have to do in the present case is involved, the function of municipal Courts is limited. They have the right to inquire, and the duty of inquiring, into the question of fact whether an "actual state of war" exists or not. But when once that question has been answered in the affirmative, the acts of the military authorities in the exercise of their Martial Law powers are no longer justifiable by the municipal Courts. The decision of the Privy Council in *Ex parte Marais* (2), a decision pronounced by Lord Halsbury, but concurred in by Lords Macnaughten, Davey, Robertson, Shand, and Lindley, and Sir Henry, afterwards Lord De Villiers, is an express and binding authority for that statement. It remains only to consider the application of these principles to the facts. Mr. A. St. V. Jayewardene, in his argument in support of the application, said, at least in effect, that the proclamation of Martial Law could not be justified solely by the existence of the war in Europe. The phrase the "war in Europe" is clearly inaccurate. The war exists far beyond the limits of Europe. The whole Empire is at present at war, and its resources are being drawn upon in all directions for military purposes. Ceylon, therefore, as well as England, is in an "actual state of war." But there is more. We have had placed before us in the argument of counsel, and there are some points of which we are

entitled to take judicial notice, a series of circumstances showing that the domestic disturbances which have been the immediate occasion of the proclamation of Martial Law had themselves assumed the character of warfare. There is no need for me to deal with this aspect of the case in detail. When we regard the position in which the whole Empire is placed, I should have had no hesitation in holding that the disturbances in question were of themselves sufficient to justify the action which has been taken. The Attorney-General states from his place at the Bar, and on adequate instructions, that in the opinion of His Excellency the Governor the time has not yet come for a relaxation of Martial Law in this Colony. In view of all the circumstances, the utmost weight must be attached to a statement of that kind. We have, on the other side, merely the facts which, as I have already shown, are far from being conclusive to law, that the ordinary Courts of Justice are open and that actual outbreaks of violence have, for the time being, in a large measure ceased. There is one point only to which I have omitted to refer. The Proclamation of June 2nd, of course, is in no way necessary to give Martial Law its efficacy and validity, any more than it would constitute an ultimate justification for acts in excess of what the needs of the hour require. It is merely what it purports in terms to be, a declaration to the whole community of the assumption by the Executive Government of powers which it already possesses. With these observations, and for the reasons which I have given, I hold that this application must be dismissed.

Colombo, June 29th, 1915.
True Copy.

LLOYD DANIELS,
Deputy Registrar.

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(1) (1831) 1 Knapp, 316.
(2) (1902) A.C. 109.
(3) (1814) 2 M & S 428.
(4) (1801) 1 East 306.
(5) (1850) 3 Ellis & Ellis 328
(6) (1842) 3 Q.B. 825.
(7) (1887) 19 Q.B.D. 12.

APPENDIX " B."

Editorial, " Ceylonese," June 4th, 1915.

(Under Censorship.)

" It is a relief to be able to record this morning that the situation, so far as Colombo is concerned, is fairly well in hand, and that matters are improving with the sterner measures now in force.

" It is, however, still too early to discuss the origin of the strange outbreak of violence that spread over a good portion of the country like a tidal wave, and this is certainly not the moment to apportion blame. To do so would make confusion more confounded. Rather than attempt to concoct theories calculated to delude the public and mislead the authorities, we should, we think, consider what steps would seem advisable at the present juncture with a view to restoring peace and goodwill and clearing up misunderstandings. The comparative quiet of the last twenty-four hours has probably brought a good many of us back to our senses, and convinced us of the utter folly and general undesirableness of continuing to upset the normal state of things.

" The first thing that should strike the thinking man is the necessity of each of us convincing our neighbour that it is time we got back to our ordinary business, one to his field and another to his merchandise. We note that influential members of either community are moving in this direction. We think that if their efforts are supplemented by similar action on the part of the general public, and the same spirit of conciliation is observed, the prospect would be all the more hopeful.

" Tact is the supreme necessity at this moment, and imputing motives of any kind would be the worst madness imaginable. One thing that has to be borne in mind as the strongest argument for resuming the normal is the impending danger of a shortage of foodstuffs. There are numbers of helpless women and children who will suffer when supplies are not to be had in the market.

" The pinch of distress cannot but be felt if the disturbances continue any longer. To-day there are but few boutiques, and those few almost depleted of their stocks. Meat is scarce, and

even vegetables are not easily got. There may be enough rice in the country, but so long as business is at a standstill we cannot expect rice to be on retail sale or to be despatched up-country. The possible danger of trouble resulting from a shortage of food ought to make even the riotous themselves pause, for it would be nothing short of suicidal to continue to their own detriment. All communities are bound to suffer by the closing of the markets.

"Up to now the riots have been characterised by an absence of damage to public property or of hostility to non-Moorish communities. Hereafter some anxiety ought to be felt that the general public may be called upon to suffer inconvenience owing to a misunderstanding between two particular communities only.

" Persuasion on such lines as we have endeavoured to mark out above would, we think, succeed, and hence our comment.

" We do not forget that the authorities have already taken extreme measures to suppress lawlessness, but it is also true that such a measure as the shooting down of British subjects is resorted to only when law-breakers refuse to listen to reason, or to heed a timely warning.

" While on the subject of shooting, it is regrettable that any deaths should have to be attributed to accident, or to indiscriminate firing. We hope that where the rifle is used, it will be with deliberate aim, and only at those of whose guilt there is no room for doubt, for in dealing with an unarmed crowd no undue haste is called for."

APPENDIX "C."

Editorial, "Ceylonese," June 9th, 1915.

(Censored.)

"In its comments on the events of the last few days throughout the Island, an evening paper in its Monday issue, takes upon itself to assume that the riots were the outcome of a conspiracy, thereby creating an impression in the minds of the authorities which may do a great deal of unnecessary harm where the people of the country are concerned.

"The article is so mischievous in its import that we doubt whether any level-headed European could be so ungenerous as to suggest what it does. The harm it could do is enormous, as it may mislead the authorities, for one thing, and in the second place give an opportunity to those who are not too well-disposed towards the permanent population to make capital of it, and cast undeserved aspersions on the richer and more influential classes.

"The least the Press can do at this juncture is to preserve a discreet silence on the matters that are now under close investigation, instead of helping to fix a stigma on the whole people, which it may take generations to efface, by means of hints and insinuations utterly uncalled-for.

"If anything is plain to an unprejudiced onlooker, it is that there has been no organisation nor anything that suggests a widespread conspiracy.

"In a country like Ceylon, where there are so many discordant elements, secrecy in such a case would have been an absolute impossibility. And where are the elements that go to prove a prearranged scheme?

"A Wesak incident occurs at Kandy, the like of which is nothing new in the history of the Island, as a dozen such disturbances have already occurred at various places in past years.

"In Colombo a trifling incident takes place by the custodians of the public peace, and the mob—composed of the riff-raff of the town—took the upper hand, and, reinforced by habitual and similar undesirables, committed mischief which could even then have been put a stop to if greater firmness had been used.

" What occurred outside Colombo was largely the result of unfounded rumours, each party believing that the opposite party was marching on them to exterminate them.

"As we have already stated in a previous issue, the supreme necessity of the moment is tact in dealing with a very serious situation. What has occurred up to now is nothing but lawlessness, pure and simple, without any political significance whatever, and no thinking man but deplores the unexpected outbreak and its possible consequences.

" A searching enquiry into what has taken place is the most welcome thing that can happen in the view of the more sensible portion of the population.

" Pending the result of the enquiry, which we hope will be conducted in a calm and judicial temper, we earnestly hope no insinuations will be made by the Press, and we can rely upon His Excellency to do plain justice in a matter which may largely influence the future of the permanent population of the country."

APPENDIX " D."

Editorial, " Morning Leader," June 9th.

(Under Censorship.)

" Reuter's telegram summarises the official reports issued by the Colonial Office in Downing Street on the information of H.E. the Governor to the British authorities.

" The telegram makes saddening reading to the Ceylonese, whose good reputation for peace and tranquility stood high. The official reports have conveyed to the British authorities the impression that the rioting was due to a sudden outbreak of racial and commercial animosities.

" We have no doubt that directly the last vestige of the trouble is quiet, the local authorities will hasten to make it clear to the British people that the Island is quiet and peaceful once more, and that the Ceylonese have resumed their normal character of quiet, law-abiding people.

" In this connection, it may not be inappropriate to say that stern and prompt as has been the punishment of those actually caught looting and rioting, those who spread false rumours and needlessly alarmed large sections of the population ought to be dealt with even more sternly.

" It was the circulation of false rumours that, for instance, alarmed the people of the northern suburbs and led them to imagine that the Catholic Churches at Grand Pass and Kotahena were desecrated. The Catholics, on receipt of this alarming news, mustered in large numbers and began to march on Colombo, with the idea of protecting their priests and sacred edifices from violence. Similarly, utterly false rumours carried inland through Kelaniya, Heneratgoda, and Veyangoda alarmed the rural populations along this route, and they got ready to protect themselves and their Temples against an imaginary attempt at aggression by the Moors.

" It is fairly certain that the circulation of false rumours, and the inability of those alarmed to get at the truth, at once went a long way to rouse the masses around Colombo, and to keep up a state of suspense even within the city.

" We believe in Kandy, too, something of the same kind tended to prolong the disturbances, by creating alarm in the popular mind and inducing large sections of the people to be on the alert with weapons of all sorts in their hands."

APPENDIX " E."

Editorial, " The Ceylonese," June 15th, 1915.

(Under Censorship.)

" It was not our intention to revert to the subject of the recent troubles till after normal conditions had been established by the suppression of the riots and the punishment of the rioters. But certain facts have forced themselves on our notice which make it imperative that we should say a few words, as much for the benefit of the authorities, who are trying their best to deal with a difficult and serious situation, as in justice to the permanent population of this country, whose interests it is our duty to watch and safeguard.

" We have been scrupulously careful not to say or do anything which would in the slightest degree embarrass the authorities at this moment. Our sole endeavour from the commencement of the trouble has been to render to them whatever assistance lay in our power in the task of restoring peace.

" We realise that an extraordinary situation has been created, calling for extraordinary measures, and we have nothing to say against the measures that have been adopted with a view to suppressing the disturbance and punishing the offenders.

" Anybody who has had a hand in the dastardly and lawless acts in question deserves neither sympathy nor mercy, and if anyone who does not belong to the rowdy or the criminal class is proved to have had any connection with them, his punishment should be much more severe than in the case of members of those classes.

" In the circumstances, it is also, perhaps, inevitable that a few innocent men, too, may have to suffer along with the guilty. These must bear up with equanimity, if not with cheerfulness.

" We have reason, however, to believe that endeavours are being made by certain designing men to exploit the present situation to pay off their private grudge or to advance their selfish interests, and this is the matter to which we desire to refer on the present occasion.

" There are some people among us who will find it difficult to resist the temptation to take full advantage of the opportunity to run down the whole Sinhalese people, and to harass and, if possible, entirely to crush the more important of them.

" There are among the Sinhalese themselves men who will try to prove their own worth by showing how unworthy all their fellow-countrymen are. Nothing will delight some men so much as to see the whole Sinhalese race branded as criminals, and the more influential and wealthier men penalised for the offence of the rioters.

" A few thousand rowdies do not constitute the Sinhalese race, and it is a matter of common knowledge that the bulk of the Sinhalese people had nothing whatever to do with the mad lawlessness of the rioters, while hundreds of the more educated of them rendered yeoman service to the authorities in quelling the disturbances and protecting the Moors.

" We court the fullest enquiry into the whole matter, but we trust the enquiry will be conducted by European officials, unhampered by unscrupulous and self-seeking meddlers, and that every endeavour will be made to discriminate between the guilty and the innocent.

" We feel that the situation is a difficult one, but we have sufficient faith in British justice, and sufficient confidence in the British official, to know that nothing un-British will be done."

Printed by EDWARD HUGHES & Co.,
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